

NORTHWEST ARKANSAS REGIONAL PLANNING
COMMISSION
METROPOLITAN PLANNING ORGANIZATION
NORTHWEST ARKANSAS REGIONAL TRANSPORTATION
STUDY
TEAM ID #1571

Title VI Program

TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

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5/6/2015

<http://nwarpc.org>



RESOLUTION #15-3**A RESOLUTION OF THE NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION
ADOPTING THE TITLE VI PROGRAM**

WHEREAS, the Northwest Arkansas Regional Planning Commission is the designated Metropolitan Planning Organization for the metropolitan region and is responsible for the urbanized transportation planning process; and

WHEREAS, the development of a Title VI Program is required for compliance with federal MAP-21 legislation; and

WHEREAS, the Title VI Program has been developed in accordance with Federal Transit Administration and Federal Highway Administration standards; and

WHEREAS, the Title VI Program includes updated Title VI documents that include the Limited English Proficiency Program;

NOW, THEREFORE, BE IT RESOLVED, by the Northwest Arkansas Regional Planning Commission, that the Title VI Program for the MPO area is hereby approved and adopted.

The above resolution is hereby adopted on this 6th day of May, 2015



Mayor Eldon Long, Chair NWARPC

TITLE VI PROGRAM

Approved by the NWARPC/Policy Committee 05-06-2-15

**NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION
OFFICE LOCATION
1311 CLAYTON STREET
SPRINGDALE, AR 72762**

**PHONE: (479) 751-7125
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NWARPC MPO TITLE VI PROGRAM POLICY STATEMENT

The NWARPC Metropolitan Planning Organization (MPO) assures that no person shall on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

The NWARPC MPO further agrees to the following responsibilities with respect to its programs and activities:

1. Designate a Title VI Liaison that has a responsible position within the organization and access to the Recipient's Executive Director.
2. Issue a policy statement signed by the Executive Director, which expresses its commitment to the nondiscrimination provisions of Title VI. The policy statement shall be circulated throughout the Recipient's organization and to the general public. Such information shall be published where appropriate in languages other than English.
3. Include a Statement of Non-Discrimination on plans, studies, legal notices and other documents disseminated by the NWARPC MPO.
4. Develop a complaint process and attempt to resolve complaints of discrimination.
5. Participate in training offered on Title VI and other nondiscrimination requirements.
6. If reviewed by AHTD or the U.S. Department of Transportation (USDOT), take affirmative action to correct any deficiencies found within a reasonable time period, not to exceed ninety (90) calendar days.
7. Have a process to collect racial and ethnic data on persons impacted by the NWARPC MPO's programs.

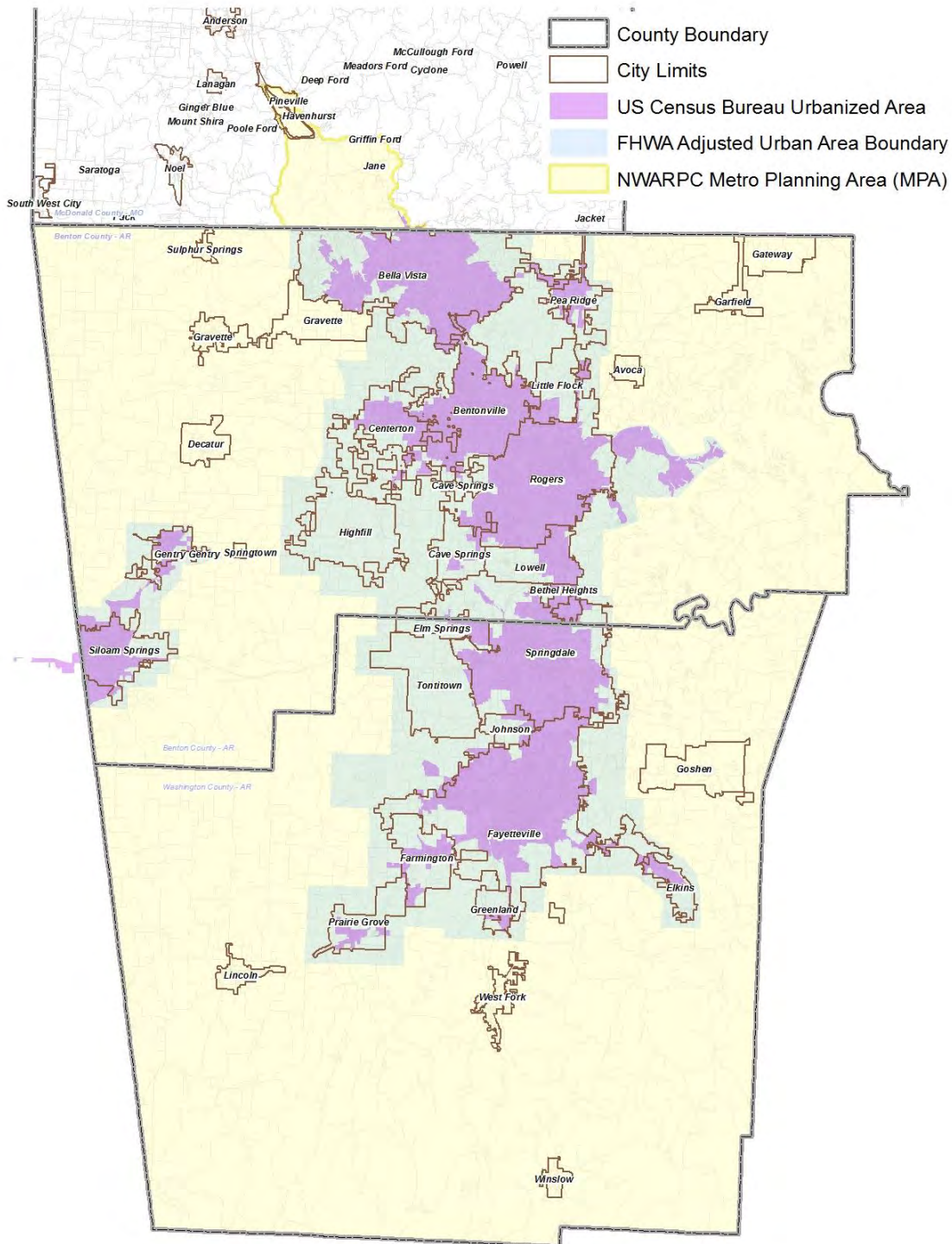
THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all federal funds, grants, loans, contracts, properties, discounts or other federal financial assistance under all programs and activities and is binding. The person whose signature appears below is authorized to sign this assurance on behalf of the NWARPC MPO.



Jeff Hawkins
Executive Director, NWARPC



Date



The Northwest Arkansas Regional Planning Commission (NWARPC) is the federally designated Metropolitan Planning Organization (MPO) for Benton and Washington Counties, Arkansas and a portion of McDonald County, Missouri.

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I. TITLE VI PROGRAM REQUIREMENTS

The Objectives of FTA’s Title VI Program, as set forth in FTA Circular 4702.1B, Title VI and Title VI-Dependent Guidelines for Federal Transit Administration Recipients,” are:

- Ensure that the level and quality of transportation service is provided in a nondiscriminatory manner;
- Promote the full and fair participation in transportation decision-making without regard to race, color, or national origin;
- Ensure meaningful access to programs and activities by persons with limited English proficiency.

Below is a summary of the required contents of a Title VI Program, and the FTA Circular 4702.1B – General Requirements (Chapter III).

1. Title VI Notice to the Public, including a list of locations where the notice is posted.
2. Title VI Complaint Procedures (i.e., instructions to the public regarding how to file a Title VI discrimination complaint).
3. List of transit-related Title VI investigations, complaints, and lawsuits.
4. Public Participation Plan, including information about outreach methods to engage minority and limited English proficient populations (LEP), as well as a summary of outreach efforts made since the last Title VI Program submission.
5. Language Assistance Plan for providing language assistance to persons with limited English proficiency (LEP), based on the DOT LEP Guidance.
6. A table depicting the membership of non-elected committees and councils, the membership of which is selected by the recipient, broken down by race, and a description of the process the agency uses to encourage the participation of minorities on such committees.
7. Primary recipients shall include a description of how the agency monitors its subrecipients for compliance with Title VI, and a schedule of subrecipients Title VI Program submissions.
8. A Title VI equity analysis if the recipient has constructed a facility, such as a vehicle storage facility, maintenance facility, operation center, etc.
9. Additional information as specified in chapter IV, V, VI, depending on whether the recipient is a transit provider, a State, or a planning Entity.

FTA Circular 4702.1B – Requirements of MPOs (Chapter VI)

10. All requirements set out in Chapter III (General Requirements).
11. Demographic profile of the metropolitan area.
12. A description of the procedures by which the mobility needs of minority populations are identified and considered within the planning process.
13. Demographic maps that show the impacts of the distribution of State and Federal funds in the aggregate for public transportation projects.
14. Analysis of the MPO’s transportation system investments that identifies and addresses any disparate impacts.

15. The requirements set out in Chapter IV (Transit Provider) if the MPO is a provider of fixed route public transportation.
16. Description of the procedures the agency uses to ensure nondiscriminatory pass through of FTA financial assistance (if requested).
17. Description of the procedures the agency uses to provide assistance to potential subrecipients in a nondiscriminatory manner (if requested).

Additional Requirement

18. A copy of board meeting minutes, resolution, or other appropriate documentation showing the board of directors or appropriate governing entity or official(s) responsible for policy decisions reviewed and approved the Title VI Program. For State DOT's, the appropriate governing entity is the State's Secretary of Transportation or equivalent. The approval must occur prior to submission to FTA.

II. INTRODUCTION TO NWARPC MPO

TEAM ID NUMBER: 1571
EXECUTIVE OFFICIAL: Mr. Jeff Hawkins
 Executive Director
 Northwest Arkansas Regional Planning Commission
 1311 Clayton Street, Springdale, Arkansas 72762
ON-SITE CONTACTS: Jeff Hawkins, Cristina Scarlat, Celia Scott-Silkwood

ABOUT NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION AND NARTS

The Northwest Arkansas Regional Planning Commission (NWARPC) is a planning organization that serves local units of governments in Benton, Madison, and Washington Counties, Arkansas and Pineville and a portion of McDonald County in Missouri.

As well as being the regional planning organization, **NWARPC serves as the region's Metropolitan Planning Organization (MPO). Furthermore, the NWARPC is the Designated Recipient for FTA grant programs for the Fayetteville-Springdale-Rogers Urbanized Area.**

The Northwest Arkansas Regional Transportation Study area (NARTS) is the cooperative effort by participating governmental units, Arkansas Highway and Transportation (AHTD), transportation and transit providers, and other interested parties to develop the long-range transportation plan for the metropolitan area.

Additionally, the region was designated as a **Transportation Management Area (TMA)** in 2013. The TMA includes Benton and Washington Counties and a portion of McDonald County, Missouri.

THE NWARPC MPO DOES NOT PROVIDE FIXED ROUTE TRANSPORTATION AS IT IS A PLANNING ORGANIZATION.

III. RECIPIENT REQUIREMENTS AND SUBRECIPIENT MONITORING

REPORTING REQUIREMENTS BASED ON THE ROLE OF THE MPO:

THE NWARPC MPO AS A PRIMARY RECIPIENT –

- The NWARPC MPO must report Title VI compliance to FTA for activities directly receiving FTA funds (comprehensive planning).
- Since FTA funds are passed-through in direct recipient capacity, the NWARPC MPO is a primary recipient, and would monitor sub-recipients; however, **the sub-recipients (Ozark Regional Transit, Inc. and Razorback Transit) are also FTA direct recipients so no monitoring is necessary.**

THE NWARPC MPO AS A DESIGNATED RECIPIENT –

- The NWARPC MPO operates as a pass-through of FTA funds to sub-recipients Ozark Regional Transit, Inc. and the University of Arkansas Razorback Transit.
- As such, the NWARPC MPO sub-allocates funds to these two transit agencies which are also FTA direct recipients.
- A Sub-recipient Agreement has been made and entered into by and between:
 - The NWARPC MPO and the Board of Trustees, University of Arkansas acting for and on behalf of the University of Arkansas and Razorback Transit, a public transportation provider on February 12, 2015;
 - The NWARPC MPO and Ozark Regional Transit Authority, a public transportation provider on September 9, 2014.
- Sub-recipient Monitoring – Through the Sub-recipient Agreement, the NWARPC MPO must monitor the transit agencies' compliance with FTA requirements. The transit agencies must provide the NWARPC MPO with requested documentation and respond to questions as the NWARPC MPO deems necessary to fulfill its monitoring responsibility in a timely manner.
 - The NWARPC MPO requests and receives monthly meeting reports and Board of Directors Annual Reports from both transit agencies.
 - The NWARPC MPO request and receives Title VI Programs and certifications from both transit agencies.
- Provide Assistance – The NWARPC MPO provides assistance to both transit agencies in the form of:
 - The Transportation Improvement Program (TIP); The Annual List of Programs (ALOP); the Program of Projects (POP); the Alternatives Analysis Study; the Transit Development Plan
 - Population and thematic maps; Census population assistance
 - Travel Demand Model scenarios
- The NWARPC MPO sub-allocates FTA funds without regard to race, color, or national origin (see below).

The NWARPC MPO is a **designated recipient, as well as a sub-recipient**, of FTA funding assistance and is therefore subject to the Title VI compliance conditions associated with the use of these funds pursuant to the following:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d).
- Federal Transit Laws, as amended (49 U.S.C. Chapter 53 et seq.).
- Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601, et seq.).
- Department of Justice regulation, 28 CFR part 42, Subpart F, “Coordination of Enforcement of Nondiscrimination in Federally-Assisted Programs” (December 1, 1976, unless otherwise noted).
- DOT regulation, 49 CFR part 21, “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964” (June 18, 1970, unless otherwise noted).
- Joint FTA/Federal Highway Administration (FHWA) regulation, 23 CFR part 771, “Environmental Impact and Related Procedures” (August 28, 1987).
- Joint FTA/FHWA regulation, 23 CFR part 450 and 49 CFR part 613, “Planning Assistance and Standards,” (October 28, 1993, unless otherwise noted).
- DOT Order 5610.2, “U.S. DOT Order on Environmental Justice to Address Environmental Justice in Minority Populations and Low-Income Populations,” (April 15, 1997).
- DOT Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient Person, (December 14, 2005).
- Section 12 of FTA’s Master Agreement (October 1, 2011).
- FTA Circular 4702.1A. “Title VI and Title VI-Dependent Guidelines for Federal Transit Administration Recipients”, May 17, 2007.
- FTA Circular 4702.1B. “Title VI Requirements and Guidelines for Federal Transit Administration Recipients”, October 1, 2012

IV. NWARPC’S COMMITMENT TO CIVIL RIGHTS

“No Person shall, on the grounds of race, color, or national origin, be excluded from participating in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance.” – Civil Rights Act of 1964

Your Civil Rights:

Title VI, 42 U.S.C. §2000d et seq., was enacted as part of the landmark Civil Rights Act of 1964. It prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. It is the full intent of the NWARPC MPO to operate its programs without regards to race, color, and national origin.

Two Executive Orders define populations that are protected under Title VI:

- ❑ Executive Order 12898 is concerned with environmental justice for minority and low-income populations.
- ❑ Executive Order 13166 is concerned with providing equal access to services and benefits for individuals with limited English proficiency.

- ❑ Guidance for this Title VI program can be found in the FTA Circular 4702.1B, dated October 1, 2012.

The NWARPC MPO is committed to preventing discrimination as defined in Title VI of the Civil Rights Act. This program outlines the procedures in place that help guide the NWARPC MPO in preventing such discrimination. The NWARPC Title VI Program provides information on the various processes which are in place as well as an analysis of the populations and programs impacted by Title VI requirements.

V. TITLE VI COORDINATOR RESPONSIBILITIES

The Title VI Coordinator performs the following tasks:

- Collaborates and coordinates Title VI compliance efforts with the staff. *NWARPC currently employs eight people. The Coordinator works closely with all the staff.*
- Serves as point of contact/liaison to the public on Title VI compliance issues. *Contact information is provided on all NWARPC publications and posted on the website.*
- Establish and maintain collaborative relationships with critical external stakeholders, such as disability advocacy groups and government agencies. *All stakeholder groups and governmental agencies are notified of meetings, public input meetings, and document reviews.*
- Monitor the NWARPC MPO policies, procedures, practices and processes with respect to Title VI compliance, identify shortcomings in compliance and develop remedies.
- Investigate and resolve complaints filed under the NWARPC's Title VI Complaint Procedures.
- Monitor and update the implementation of the NWARPC's Title VI Program.
- Provide or coordinate the provision of requested auxiliary aids and reasonable accommodations to individuals with disabilities.
- Perform Title VI program, process or compliance reviews.

TITLE VI TRAINING: The Title VI Coordinator distributes updated information to NWARPC staff as it becomes available. **Title VI training is administered as part of new hire orientation and as part of an annual staff training. Annual staff training is held every July at the beginning of a new fiscal year.** NWARPC staff is encouraged to participate in Title VI professional development training opportunities. Many training and educational opportunities are available through a variety of sources such as the FTA website and courses offered by the National Highway Institute (NHI) and National Transit Institute (NTI).

VI. NOTIFY BENEFICIARIES OF PROTECTION: NOTIFYING THE PUBLIC OF RIGHTS UNDER TITLE VI

In order to comply with 49 CFR Section 21.9(d), NWARPC MPO provides information to the public regarding their Title VI obligations and appries members of the public of the protections against discrimination afforded to them by Title VI. Please go nwarpc.org/home/civil_rights/ or the Civil Rights tab on the NWARPC website for the following notification:

Notifying the Public of Rights under Title VI

The Northwest Arkansas Regional Planning Commission operates its programs and services without regard to race, color, or national origin in accordance with the Title VI Act of the Civil Rights Act of 1964. Therefore, the NWARPC does not discriminate on the basis of race, sex, color, age, national origin, religion or disability, in the admission, access to and treatment in NWARPC's programs and activities, as well as the NWARPC's hiring or employment practices. Any person or group who feels that he or she, individually, or as a member of any class of persons, on the basis of race, color, national origin, age, sex, disability, religion, or low-income status has been unfairly deprived of benefit, or unduly burdened by the transportation planning process, or denied the benefits of, or subjected to discrimination caused by the MPO may file a written complaint with the ADA/504/Title VI Coordinator.

For information on the NWARPC Civil Rights program, or the procedure to file a Title VI complaint, contact the Celia Scott-Silkwood, AICP, Regional Planner – EEO/DBE (ADA/504/Title VI Coordinator), 1311 Clayton, Springdale, AR 72762, (479-751-7125, (Voice/TTY 7-1-1 or 1-800-285-1131) or the following email address: cscott-silkwood@nwarpc.org.

If information is needed in another language, contact 479-751-7125

"Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., and its implementing regulations provide that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participating in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity that receives federal assistance".

Si necesita informacion en otro idioma, comuniquese con 479-751-7125.

"Titulo VI dela Ley de Derechos Oiviles de 1964, 42 U.S.C. 2000d y ss., y su reglamentaciones implementadas establecen que ninguna persona en los Estados Unidos sera, por motivos de raza, color o origen nacional, excluida de participar en, negado los beneficios de, o de otra manera sujeto a".

VII. COMPLAINT PROCEDURE

NWARPC MPO has established a process for investigating and resolving complaints alleging Title VI discrimination related to MPO services, programs and its office.

NWARPC MPO's Title VI Coordinator is responsible for overseeing investigations and responses to complaints of discrimination based on disability. A Title VI discrimination complaint may be filed within 180 days from the date of the alleged discrimination.

- Required complaint information includes:
 - ❑ Complainant's name, mailing address and daytime phone number.
 - ❑ Specific information relating to the incident in question: date, time, location, how the person was discriminated upon, and any other applicable details.

Complaints with incomplete information may result in delayed investigations and responses. NWARPC MPO will not respond to complaints without the complainant's name and mailing address.

- Complaints may be submitted to NWARPC as follows:
 - ❑ By telephone to NWARPC, 479-751-7125. The Title VI Coordinator will speak to the complainant and obtain detailed information relating to the complaint. Information obtained from the telephone interview will be recorded in writing and read to the complainant.
 - ❑ In writing to the NWARPC Title VI Coordinator, 1311 Clayton, Springdale, AR 72762. Complaints may also be faxed to 479-521-7150 or emailed.
 - ❑ In person at NWARPC, 1311 Clayton, Springdale, AR 72762. Normal office hours are from 8:00 am until 5:00 pm, Monday through Friday. It is advisable to call the Title VI Coordinator in advance to schedule an appointment.

Within three business days upon receipt of a complaint, a letter will be mailed to the complainant with the following information:

- Acknowledgment that the complaint has been received and is pending investigation.
- Estimated date by which a response will be sent to the complainant.

The Title VI Coordinator will investigate the complaint and respond in writing within a reasonable time, not to exceed 30 days from the receipt of the complaint. The response will provide information concerning the resolution of the complaint.

A record of all complaints will be maintained by NWARPC for a minimum of five years. Each record will include the name and address of the complainant, nature of the complaint, problems identified, resolution of the complaint and any resulting modification made to a NWARPC program, service or its office facility.

The Complaint Form can be downloaded from the NWARPC website at http://nwarpc.org/home/civil_rights/ or a copy may be obtained at the NWARPC office upon request. A complete copy of the Complaint Form may be found in **APPENDIX A**.

COMPLAINTS RECEIVED

It is the intent and policy of NWARPC to practice nondiscrimination, and should a formal complaint be brought to the organization's attention, it will be addressed through the

complaint procedure at the local level. A list of Complaints are kept and made available for semiannual reporting requirements. In compliance with 49 CFR Section 21.9(b), NWARPC shall prepare and maintain a list of complaints and investigations conducted. The list will consist of lawsuits, or official complaints against NWARPC that allege discrimination on the basis of race, color, or national origin.

A table that lists complaints includes the following information:

- Date of the complaint, investigation or lawsuit was filed;
- Summary of the allegation(s):
- The status of the investigation, lawsuit, or complaint, and
- Actions taken in response to the investigation, lawsuit of complaint.

Table 1 is a report of the Complaints Log for NWARPC MPO showing the three previous reporting periods (April 1 – December 31, 2012; January 1 – December 31, 2013; January 1 – December 31, 2014). The log is available upon request.

Table 1: Complaints Logs NWARPC						
Complaint Date	Type		Date Received	Date Resolved	Summary	Status
	Investigation Date	Lawsuit Date				
None	None	None			None 4/1/12 – 12/31/12	NA
None	None	None			None 1/1/13 – 12/31/13	NA
None	None	None			None 1/1/14 – 12/31/14	NA

VIII.PROMOTION OF INCLUSIVE PUBLIC PARTICIPATION

(1) NWARPC PUBLIC PARTICIPATION PLAN

NWARPC's updated Public Participation Plan (PPP) was approved in September 2014. The PPP was developed to ensure that the transportation planning process complies with federal requirements for public involvement and participation. The PPP states, "This document outlines procedures that are designed to promote and encourage public participation and involvement in the transportation planning process. These procedures will provide opportunities for citizens, employers, and transportation providers to contribute ideas and opinions early and at every stage of the planning process. Efforts will be made to assure participation by traditionally underserved individuals, including elderly, low income and minority individuals, persons with disabilities, and persons with limited English proficiency."

The PPP further states that, “The NARTS (NWARPC) will, to the extent reasonable and practical, ensure that the PPP will address the requirements for MPO public involvement as identified in 23 CFR 450.316 Interested parties, participation, and consultation.” The PPP also addresses the requirements of the Moving Ahead for Progress in the 21st Century (MAP-21).

The policies and strategies detailed in the PPP do not specifically address the requirements of Title VI. However, the PPP does include a procedure for addressing complaints from the general public relating to discrimination due to a disability.

(2) THE NWARPC PUBLIC PARTICIPATION AND OUTREACH POLICIES ENDEAVOR TO:

- Provide ongoing and timely information about transportation issues and processes to NWA citizens, affected public agencies, representatives of transportation agencies, private providers of transportation, other interested parties and segments of the community affected by transportation plans, program and projects;
- Provide reasonable public access to technical and policy information used in the development of the Metropolitan Transportation Plan (MTP), the Transportation Improvement Plan (TIP), and other appropriate transportation plans and projects;
- Conduct open public meetings where matters related to the Federal-aid highway and transit programs and are being considered;
- Give adequate public notice of public participation activities and allow time for public review and comment at key decision points, including, but not limited to, development and approval of plans and TIPs, and other appropriate transportation plans and projects;
- Provide additional opportunity for public comment if the final transportation plan or TIP differs significantly from the one which was made available for public comment by NWARPC and/or raises new material issues which interested parties could not have reasonably foreseen from the public involvement efforts;
- Solicit the opinions of those under-served by existing transportation systems, including but not limited to, the transportation disadvantaged, minorities, elderly, low-income households, and people with disabilities;
- Periodically review adopted public comment processes to determine their effectiveness in assuring that the process provides full and open access to all;
- Coordinate the public participation process with statewide public participation process wherever possible to enhance public consideration of the issues, plans and programs, and reduce redundancies and cost;
- Improve the effectiveness of the Public Participation Plan (PPP):
 - With an annual staff review.
 - A review by the TAC and NWARPC/Policy Committee occurring as part of the regular update cycle for the Metropolitan Transportation Plan (MTP).

(3) PUBLIC PARTICIPATION – AN ONGOING ACTIVITY OF NWARPC:

It is an integral aspect of one-time activities such as specific corridor studies, and of regularly repeated activities such as NWARPC meetings, the Metropolitan Transportation Plan updates and the TIP process. **Participation techniques employed by NWARPC include:**

- **MEETING LOCATIONS** – NWARPC, whenever feasible, holds public meetings, hearings or forums at a site convenient to potentially affected citizens and/or on a public transportation route.
- **VISUALIZATION TECHNIQUES** – NWARPC employs visualization techniques to aid in the understanding of transportation related documents. These visualization products are available on the NWARPC web page and at public forums and meetings.
 - Provides on-line maps of the area that presents all appropriate information pertaining to documents such as the Metropolitan Transportation Plan elements and proposed amendments, TIP projects and proposed amendments.
 - Employs maps, GIS products, charts, graphs, photo interpretation, artist renderings, physical models, and/or computer simulation.
- **NWARPC WEBSITE** – This site was established to provide basic information about the MPO/transportation process, NWARPC members, meeting times, and contact information. The site also includes information about specific projects undertaken by NWARPC, such as the Unified Planning Work Program (UPWP), TIP, MTP, PPP, and transit studies. Other activities are also accessible on the website. All publications and work products are available electronically to the public and in hard copy at the NWARPC offices.
- **MASTER DATABASE** – NWARPC maintains a database of federal, state and local agencies, committee members and interested public. The database is used for maintaining up-to-date committee membership and special interest group lists, and is used to establish and maintain a list of email contacts for electronic meeting notification and announcements. NWARPC works with community organizations to help distribute information to identified target audiences when planning studies are conducted by NWARPC.
- **NOTICES OF MEETINGS** – Notices of all NWARPC/Policy Committee and TAC meetings, complete with date, time, location and preliminary agendas are forwarded to members, media and other interested parties, customarily, at least one week prior to the date of the meeting. Public meetings on specific issues may be held independently or at the same time as NWARPC/Policy Committee and/or TAC meetings. Notices of these public meetings are subject to legal notice requirements as stated below.
- **LEGAL NOTICES** – NWARPC publishes a legal notice in the newspaper of greatest general circulation for any public meeting where a decision could be made by the TAC or NWARPC/Policy Committee. Additionally, legal notices are published for many other meetings, public comment periods, public input meetings, etc. Display ads are also published for certain meetings and activities in the English and local Spanish newspapers.

- **PRESS RELEASES** – Formal press releases are sent to local media (newspaper, TV, and radio) to announce upcoming meetings and activities and to provide information on specific issues being considered by NWARPC/Policy Committee, TAC or other committees.
- **EMAIL ANNOUNCEMENTS** – Meeting announcements and NWARPC information are emailed to interested persons that have submitted their email addresses to NWARPC staff.
- **COMMENT FORMS** – Comment forms or cards are often used to solicit public comment on specific issues being presented at a public input meeting. Comment forms can be very general in nature, or can ask for very specific feedback. NWARPC collects and tracks all comments received.
- **SURVEYS** – Electronic and paper surveys are used when a specific input from the public is desired, or to gather technical data, such as daily travel patterns. NWARPC collects, compiles, and analyzes all survey information received and incorporates that information into the development of plans and projects.
- **TRANSLATIONS** – Upon request and within reason, NWARPC will provide appropriate language translators for the non-English speaking, as well as translations for the hearing and visually impaired, free of charge.
- **ANNUAL LISTING OF PROJECTS** – Annual production of maps presenting the Annual Listing of Projects (ALOP).

(4) THE FOLLOWING ACTIVITIES WILL BE INCORPORATED INTO THE NWARPC PUBLIC PARTICIPATION AND OUTREACH PROGRAMS AS WELL AS INTO THE OVERALL PLANNING PROCESS:

- The NWARPC will undertake efforts to educate, inform and involve the public in area-wide transportation issues and processes. These efforts may include, but are not limited to, the following:
 - Focus/special groups
 - Flyers and brochures
 - Workshops/Open-houses
 - Legal Notices
 - Media releases
 - Newsletters/Annual Reports
 - Newspaper inserts
 - Provide materials in large-print, audio tape or Braille
 - Provide sign language interpreter for hearing impaired
 - Provide Spanish translations
 - Printed materials distributed to city halls, libraries, community centers, city buses
 - Public meetings and hearings
 - Public Service Announcements (PSAs)
 - Public appearances and speeches
 - Surveys
 - Telephone and website information on all printed materials
 - Website with calendar of events and documents

- The NWARPC will, to the extent reasonable and practical, maintain an up-to-date database of contacts to be used to communicate to interested parties information concerning NWARPC meetings, documents and transportation plan review. The database may contain the following:
 - Elected officials
 - Local government staff
 - Transportation agencies (transit, airports, rail)
 - Local media (Print, radio, TV)
 - Civic groups
 - Special interest groups and other interested parties
 - Libraries (for public display)
 - Federal, state and local agencies responsible for land use management, natural resources, environmental protection, conservation and historic preservation, and others
 - Parties that would have an interest in the planning and development of the transportation network including affected public agencies in the metropolitan planning area
 - Private freight shippers
 - Providers of freight transportation services
 - Private providers of transportation
 - Representatives of users of public transportation
 - Representatives of users of pedestrian walkways
 - Representatives of users of bicycle transportation facilities
 - Representatives of the disabled
 - Minority groups
 - Area school districts
- A Public Comment option is available on the web site by email, set up specifically for comments that are received and monitored and posted to the website's Public Comment page with NWARPC responses.

The complete Public Participation Plan can be found in at

<http://www.nwarpc.org/pdf/Transportation/NWARPC%20Public%20Participation%20Plan.pdf>

(5.) PUBLIC PARTICIPATION EFFORTS 2013 THROUGH 2015 – All public participation efforts adhere to the NWARPC Public Participation Plan as shown above. A database of contacts is used to communicate to interested parties information concerning NWARPC meetings, documents and transportation plan review.

A. TECHNICAL ADVISORY COMMITTEE MEETINGS AND NWARPC/POLICY COMMITTEE MEETINGS

- Legal notices/advertisements were published in Spanish in the Spanish language newspaper, and posted on the NWARPC website in Spanish.

B. UNIFIED PLANNING WORK PROGRAM PUBLIC COMMENT

- Legal notices/advertisements were published in Spanish in the Spanish language newspaper, and posted on the NWARPC website in Spanish.

C. 2040 NWA METROPOLITAN TRANSPORTATION PLAN

- All legal notices/advertisements were published in Spanish in the Spanish language newspaper, and posted on the NWARPC website in Spanish.
- Interviews promoting public input opportunities on the local Spanish language television station.
- Hard copy and electronic public opinion surveys are in Spanish.
- Public input meetings advertised in Spanish in the Spanish language newspaper.
- Staffed a booth at a trail opening event in the local LEP community, with displays and hard copy surveys in Spanish.
- Distributed hard copy public opinion surveys in Spanish at community wide events, such as a farmer's market and open houses. Also distributed surveys at community centers, public libraries, city halls, fire stations, local grocery stores, and restaurants.

D. ALTERNATIVES ANALYSIS STUDY

- Advertised and staffed three open houses, two stakeholder meetings (one was held in a community center in a Spanish speaking neighborhood), and promoted and managed a website and a Facebook page.
- Bilingual notices were provided in legal ads and other notices.
- The public was invited to provide spoken and written comments, and to respond to a survey.
- There was a significant amount of print and electronic media coverage of the meetings and the study itself.

E. NWA REGIONAL BICYCLE AND PEDESTRIAN MASTER PLAN

- Media releases in published in Spanish in the Spanish language newspaper, and posted on the NWARPC website in Spanish and the bike/pedestrian website in Spanish aided in dissemination of information.
- Several communities, stakeholders, and local newspapers posted announcements of public input opportunities in Spanish on their Facebook page, website or in print.
- 14 out of 25 input opportunities were at open-houses or community wide events, such as a farmer's market or high school football game – affording LEP members of the community to communicate with staff through family-member interpreters.

IX. LIMITED ENGLISH PROFICIENCY PLAN

Individuals who have limited ability to read, write, speak, or understand English are considered to be Limited English Proficient (LEP). NWARPC MPO's LEP plan addresses the responsibilities of NWARPC MPO to LEP persons. Through this policy, these populations are identified within the Metropolitan Planning Area.

To ensure meaningful access to NWARPC MPO's programs and activities, the information was developed using the Four Factor Analysis. This guides NWARPC MPO in determining specific LEP needs. The Four Factor Analysis is an assessment of local populations and considers the following factors:

Factor 1: The number or proportion of LEP persons eligible to be served or likely to encounter an MPO program, activity, or service.

This factor includes an analysis of the 2013 American Community Survey 5-year Estimates for Benton and Washington County. Tables for Race, Hispanic or Latino, and Language Spoken at Home by Ability to Speak English were used to identify the area's LEP population. English and Spanish, respectively, are the top languages identified that are spoken at home by populations 5 years and over.

Factor 2: The frequency with which LEP persons come into contact with a MPO program, activity, or service.

NWARPC MPO does not have any knowledge, documented or otherwise, of LEP persons coming into contact with NWARPC MPO program or activity.

Factor 3: The nature and importance of the program, activity, or service provided by the program to people's lives (or "service provided by the MPO to LEP community").

NWARPC MPO has three main planning documents which identify and direct its transportation activities in the region – the Metropolitan Transportation Plan, the Transportation Improvement Program, and the Unified Planning Work Program. Each of these is publicized to the public for a review and comment period according to the Public Participation Plan.

Factor 4: The resources available to the MPO for LEP outreach, as well as the costs associated with that outreach.

NWARPC MPO has assessed its available resources that could be used for providing LEP assistance. This includes identifying what staff and volunteer language interpreters are readily available, which documents should be translated, taking an inventory of available organizations that NWARPC MPO could partner with for outreach and translation efforts, examining which financial and in-kind sources could be used to provide assistance, and what level of staff training is needed.

The complete Limited English Proficiency Plan can be found in **APPENDIX B**.

X. COMMISSION

NWARPC has one established commission, the Northwest Arkansas Regional Planning Commission.

Commission Member Jurisdictions in Arkansas

AHTD	AVOCA	BEAVER WATER DISTRICT
BELLA VISTA	BENTON COUNTY	BENTONVILLE
BETHEL HEIGHTS	CAVE SPRINGS	CENTERTON
DECATUR	ELKINS	ELM SPRINGS
FARMINGTON	FAYETTEVILLE	GARFIELD
GATEWAY	GENTRY	GOSHEN
GRAVETTE	GREENLAND	HIGHFILL
HINDSVILLE	HUNTSVILLE	JOHNSON
LINCOLN	LITTLE FLOCK	LOWELL
MADISON COUNTY	PEA RIDGE	PRAIRIE GROVE
ROGERS	SILOAM SPRINGS	SPRINGDALE
SPRINGTOWN	ST. PAUL	SULPHUR SPRINGS
TONTITOWN	WASHINGTON COUNTY	WEST FORK
WINSLOW		

Commission Member Jurisdictions in Missouri

PINEVILLE	PORTION OF McDONALD COUNTY
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The membership of the Commission is appointed by the elected officials of the member jurisdictions, and is not under the control of the NWARPC staff.

The Northwest Arkansas Regional Planning Commission membership is composed of 50 men and 11 women, all of whom are white (Caucasian).

Table 2: Racial Composition of Commission Members

Group	Caucasian	African American	Latin American	Asian American	Native American
NWARPC Commission	50	0	0	0	0

XI. EQUITY ANALYSIS TO DETERMINE SITE OR LOCATION OF FACILITIES

NWARPC has not constructed any facilities.

XII. DEMOGRAPHIC PROFILE

NWARPC considers the impact that its programs may have on the mobility needs of Title VI population. NWARPC identifies the Title VI population using Census block data, Census Transportation Analysis Zones (TAZs), and other means, including transit agency provided data.

Basic Profile of Northwest Arkansas

The Fayetteville-Springdale-Rogers Metropolitan Statistical Area currently encompasses four counties including Benton, Madison, and Washington Counties in Arkansas and, also, McDonald County to the north in Missouri. The Northwest Arkansas Transportation Study Area (NARTS) consists of Benton and Washington County.

Geography

Benton County

- Covers 880 square miles
- Has 846 square miles of land
- Has 43 square miles of water

Washington County

- Covers 956 square miles
- Has 950 square miles of land
- Has 6 square miles of water

The two counties are divided from north to south by the Old Missouri Road/Butterfield trail that runs along a major watershed divide. On the west, most of the watershed flows into the Illinois River, which flows into Oklahoma. Eastern water flows into the White River basin, which contains the 31,700-acre Beaver Lake.

The Metropolitan Planning Area (MPA) in McDonald County, Missouri is approximately 30.7 square miles. This portion of the county is mainly traversed by US Highway 71. This area is mainly rural in nature.

Population

Benton County

- 153,406 in Census 2000 population.
- 221,339 in Census 2010 population.
- This represents a 43.3 percent increase and an annual growth rate of 3.73 percent.
- On average there were 6,793.3 people per year moving to Benton County since Census day, April 1, 2000.
- Contains nineteen incorporated cities.

- All or part of nine Benton County cities fell within the Census defined Urbanized Area in Census 2010, including the cities of Bella Vista, Bethel Heights, Bentonville, Cave Springs, Centerton, Little Flock, Lowell, Pea Ridge, and Rogers.
- Siloam Springs meets the Census definition of an Urban Cluster.
- Most of the population of Benton County is located along the I-49 corridor.

Washington County

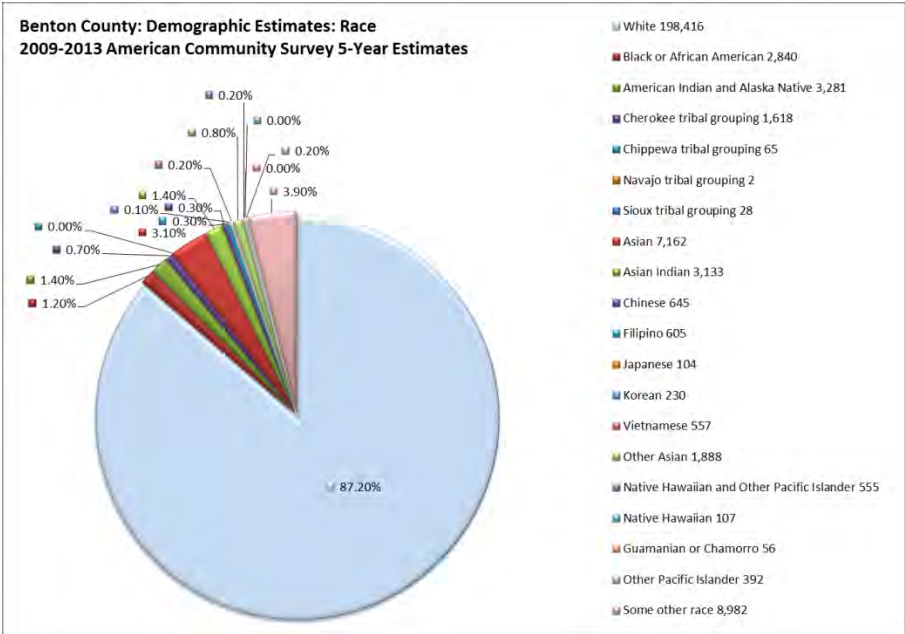
- 153,406 in Census 2000 population.
- 203,065 in Census 2010 population.
- This represents a 28.8 percent increase and an annual growth rate of 2.56 percent.
- On average there were 4,535 people per year moving to Washington County since Census day, April 1, 2000.
- Contains thirteen incorporated cities.
- Nine of these cities fall within the urbanized area criteria. These cities include Elkins, Elm Springs, Farmington, Fayetteville, Greenland, Johnson, Springdale, Prairie Grove, and Tontitown.
- The majority of residents live close to the I-49 corridor.

Portion of McDonald County

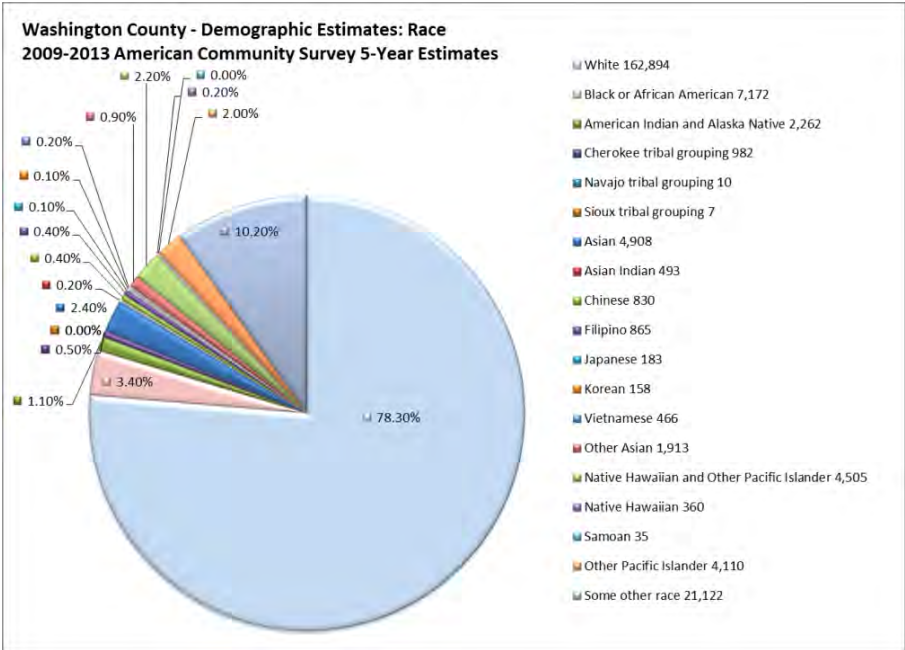
- The portion of the Metropolitan Planning Area (MPA) in McDonald County, Missouri had approximately 2,089 people in the 2010 Census.
- Has approximately 751 housing units recorded during the 2010 Census.
- The Elk River is formed at Pineville, Missouri by the confluence of Big Sugar Creek and Little Sugar Creek.
- Pineville (the county seat for McDonald County), has a total area of 3.11 square miles and is the only incorporated city in the area. It had a recorded population of 791 and 287 households by the 2010 Census Bureau.
- Jane is a small community of 301 people in 2010 and is situated on Route 90 at the intersection with US Highway 71.

Demographic Distribution

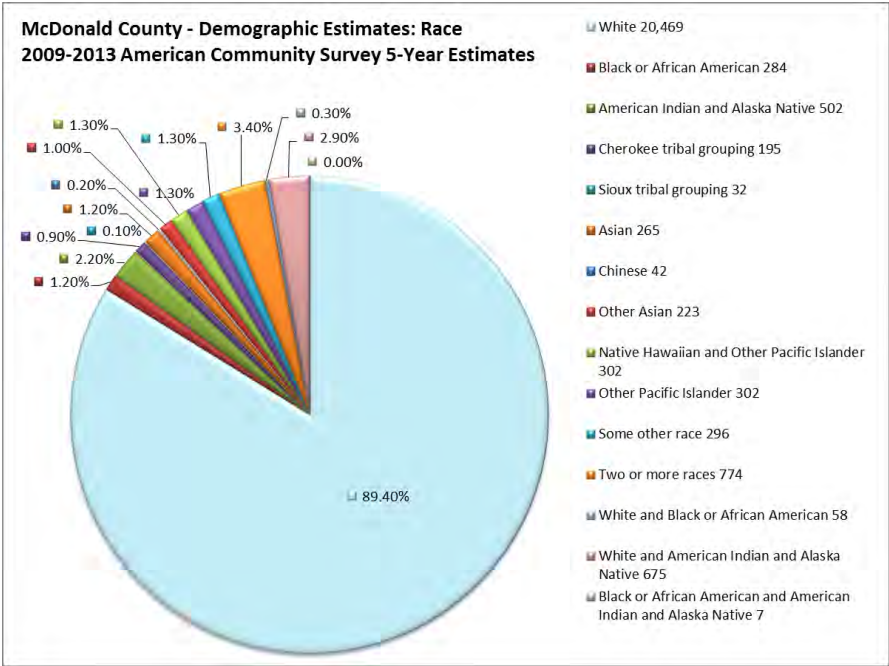
- In Benton County, 87.2 percent is White and about 12.8 percent other race than white; in Washington County 78.3 percent is white and 21.7 percent other race than white; and in McDonald County 92.7 percent is white and 7.3 percent is other race than white. The break-down demographics below show the percentage for each race and ethnic group by county.



Benton County race estimates



Washington County race estimates



McDonald County race estimates

Minority Population Trends

The table below shows an in-migration of Latino or Hispanic population. Between the year 2000 and 2010 the two-county regions' (Benton and Washington) total population grew by 36.4 percent while the Hispanic population grew from 26,401 to 65,741 or by 149.0 percent. From this it can be seen that the Hispanic population continues to increase at a faster rate than the general population. The Census 2010 Hispanic population figure of 65,741 makes up 15.5 percent of the 424,404 two-county total population. This Hispanic total population ratio is higher in the cities of Northwest Arkansas with an 18.4 percent and 26.7 percent ratio for Washington and Benton County Cities respectively.

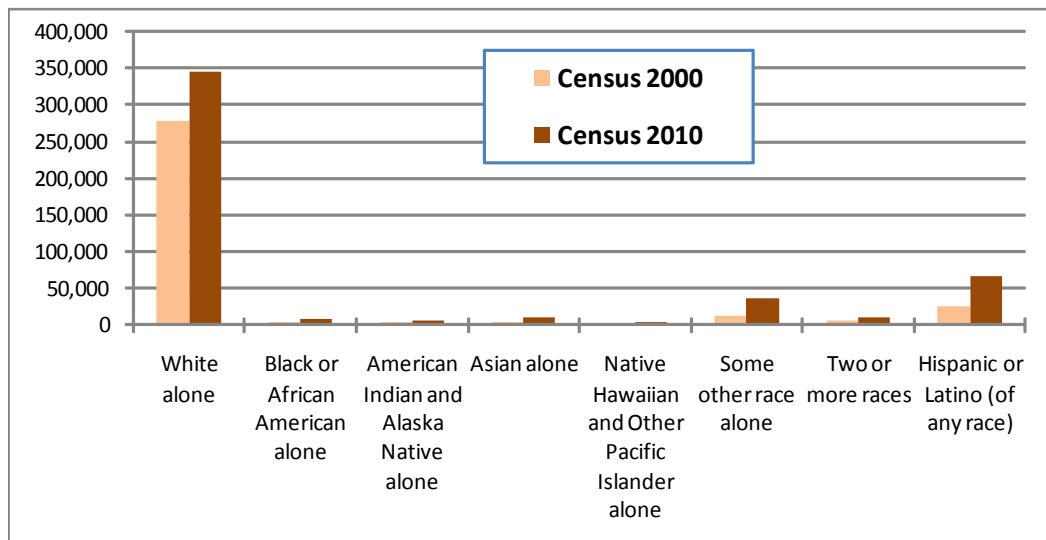
<i>Hispanic Population Growth in Northwest Arkansas: 2000 to 2010</i>									
Geographic	Total Population Census 2000	Hispanic Population Census 2000	Total Population Census 2010	Hispanic Population Census 2010	Total Pop. Change 2000-2010	Hispanic Pop. Change 2000-2010	Total Population Percent Change 2000-2010	Hispanic Population Percent Change 2000-2010	Percent Hispanic to Total Population in 2010
AVOCA	423	26	488	85	65	59	15.37%	226.92%	17.4%
BELLA VISTA (CDP)	16,582	168	26,461	688	9,879	520	59.58%	309.52%	2.6%
BENTONVILLE	19,730	1198	35,301	3074	15,571	1876	78.92%	156.59%	8.7%
BETHEL HEIGHTS	714	24	2,372	823	1,658	799	232.21%	3329.17%	34.7%
CAVE SPRINGS	1,103	24	1,729	77	626	53	56.75%	220.83%	4.5%
CENTERTON	2,146	87	9,515	1161	7,369	1074	343.38%	1234.48%	12.2%
DECATUR	1,314	217	1,699	483	385	266	29.30%	122.58%	28.4%
ELKINS	1,251	15	2,648	213	1,397	198	111.67%	1320.00%	8.0%
ELM SPRINGS	1,044	45	1,535	131	491	86	47.03%	191.11%	8.5%
FARMINGTON	3,605	79	5,974	352	2,369	273	65.71%	345.57%	5.9%
FAYETTEVILLE	58,047	2821	73,580	4725	15,533	1904	26.76%	67.49%	6.4%
GARFIELD	490	7	502	5	12	-2	2.45%	-28.57%	1.0%
GATEWAY	116	0	405	32	289	32	249.14%	---	7.9%
GENTRY	2,165	121	3,158	379	993	258	45.87%	213.22%	12.0%
GOSHEN	752	6	1,071	10	319	4	42.42%	66.67%	0.9%
GRAVETTE	1,810	53	2,325	94	515	41	28.45%	77.36%	4.0%
GREENLAND	907	20	1,259	41	352	21	38.81%	105.00%	3.3%
HIGHFILL	379	4	583	19	204	15	53.83%	375.00%	3.3%
JOHNSON	2,319	74	3,354	347	1,035	273	44.63%	368.92%	10.3%
LINCOLN	1,752	89	2,249	147	497	58	28.37%	65.17%	6.5%
LITTLE FLOCK	2,585	413	2,585	318	0	-95	0.00%	-23.00%	12.3%
LOWELL	5,013	448	7,327	1808	2,314	1360	46.16%	303.57%	24.7%
PEA RIDGE	2,346	24	4,794	276	2,448	252	104.35%	1050.00%	5.8%
PRAIRIE GROVE	2,540	52	4,380	196	1,840	144	72.44%	276.92%	4.5%
ROGERS	38,829	7490	55,964	17619	17,135	10129	44.13%	135.23%	31.5%
SILOAM SPRINGS	10,843	1518	15,039	3128	4,196	1610	38.70%	106.06%	20.8%
SPRINGDALE	45,798	9005	69,797	24692	23,999	15687	52.40%	174.20%	35.4%
SPRINGTOWN	114	10	87	11	-27	1	-23.68%	10.00%	12.6%
SULPHUR SPRINGS	671	112	511	22	-160	-90	-23.85%	-80.36%	4.3%
TONTITOWN	942	21	2,460	140	1,518	119	161.15%	566.67%	5.7%
WEST FORK	2,042	64	2,317	76	275	12	13.47%	18.75%	3.3%
WINSLOW	399	3	391	8	-8	5	-2.01%	166.67%	2.0%
Benton County (Cities Total)	107,373	11,944	112,547	30,102	5,174	18,158	4.82%	152.03%	26.7%
Washington County (Cities Total)	120,456	12,273	168,555	30,938	48,099	18,665	39.93%	152.08%	18.4%
Benton County Total	153,406	13,469	221,339	34,283	67,933	20,814	44.28%	154.53%	15.5%
Washington County Total	157,715	12,932	203,065	31,458	45,350	18,526	28.75%	143.26%	15.5%
NWA Regional Total	311,121	26,401	424,404	65,741	113,283	39,340	36.41%	149.01%	15.5%
Arkansas	2,673,400	86,866	2,915,918	186,050	242,518	99,184	9.07%	114.18%	6.4%

Source: U.S. Census Bureau, Census 2000. Table prepared by Northwest Arkansas Regional Planning Commission.

The tables below shows that while the diversity of the region's population is increasing rapidly, the total population in absolute numerical terms is still predominantly white.

Race and Hispanic Change from 2000 to Year 2010			
in Northwest Arkansas			
	Census 2000	Census 2010	Percent Change
Total Population	311,121	424,404	36.4%
White alone	278,219	345,070	24.0%
Black or African American alone	4,142	8,820	112.9%
American Indian and Alaska Native alone	4,954	6,144	24.0%
Asian alone	4,102	10,735	161.7%
Native Hawaiian and Other Pacific Islander alone	949	4,799	405.7%
Some other race alone	12,808	37,231	190.7%
Two or more races	5,947	11,605	95.1%
Hispanic or Latino (of any race)	26,323	65,741	149.7%

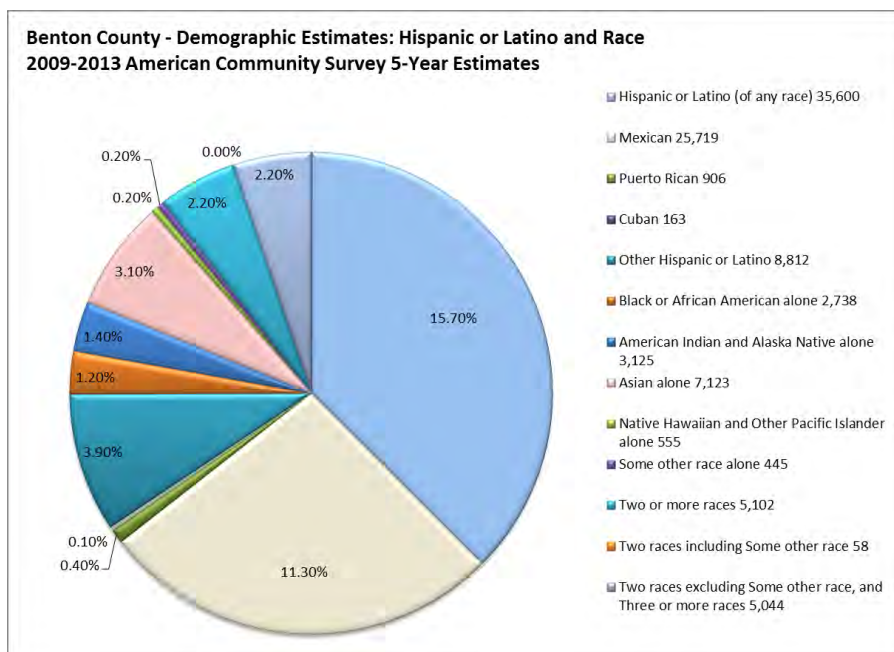
U.S. Census Bureau



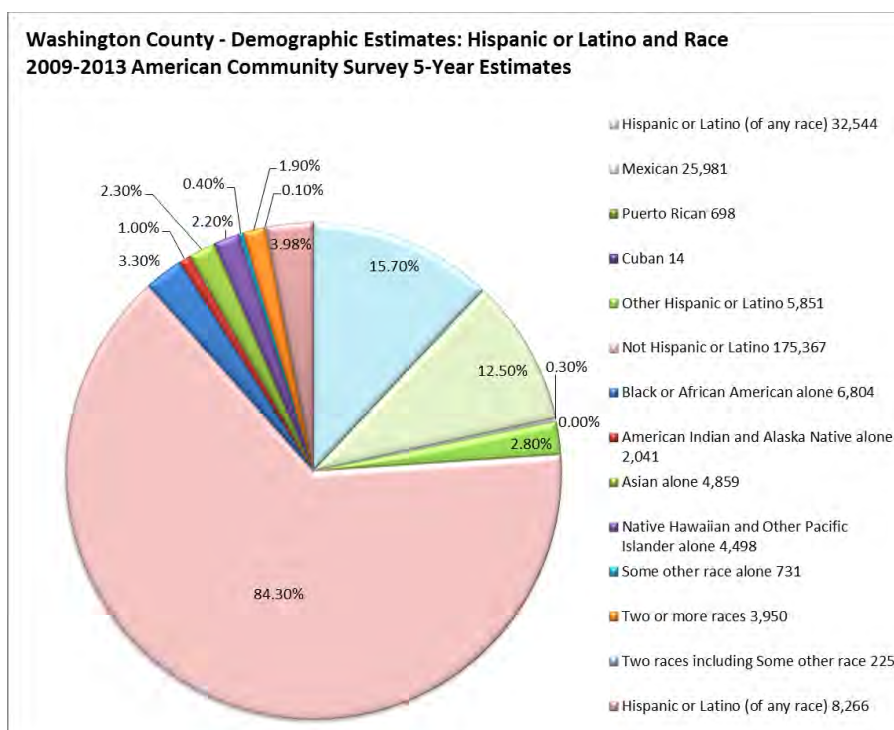
In the McDonald portion of the MPA the majority of the population (1,007 in 2010) is white followed by people of Hispanic origin (about 292 in 2010) and Native American (about 35 people in 2010).

Another increasing minority group in Benton and Washington Counties is the Native Hawaiian or Pacific Islanders, which would include Marshallese Island immigrants. This population grew from 969 in Census 2000 to 4,799 in 2010. This was a significant 395.25 percent increase for one decade.

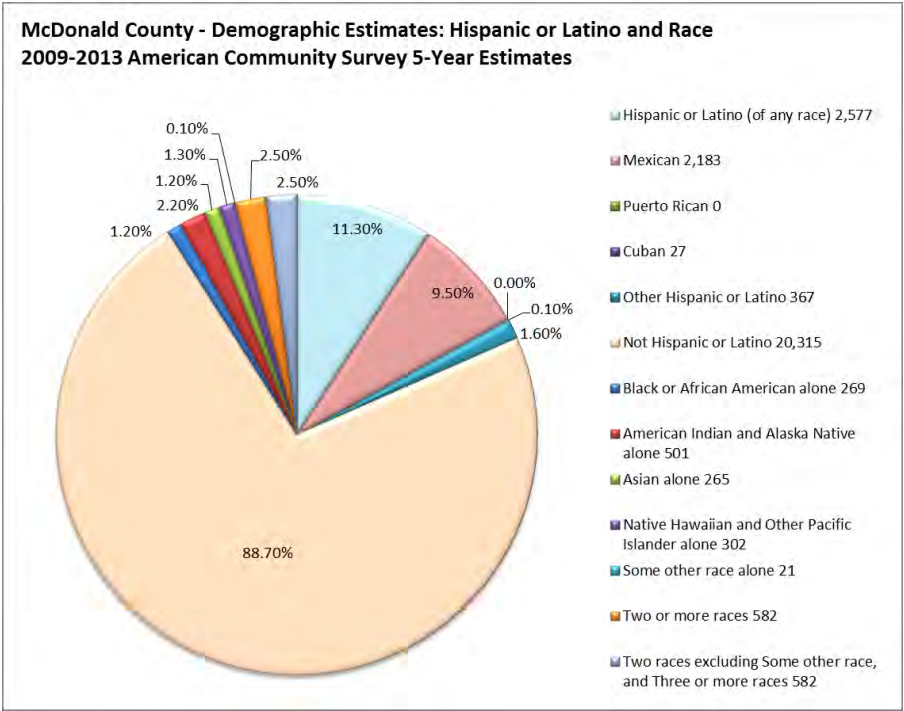
The graphics below illustrate the racial and minority population mix as estimated by the most recent American Census Survey 5-year estimates by county.



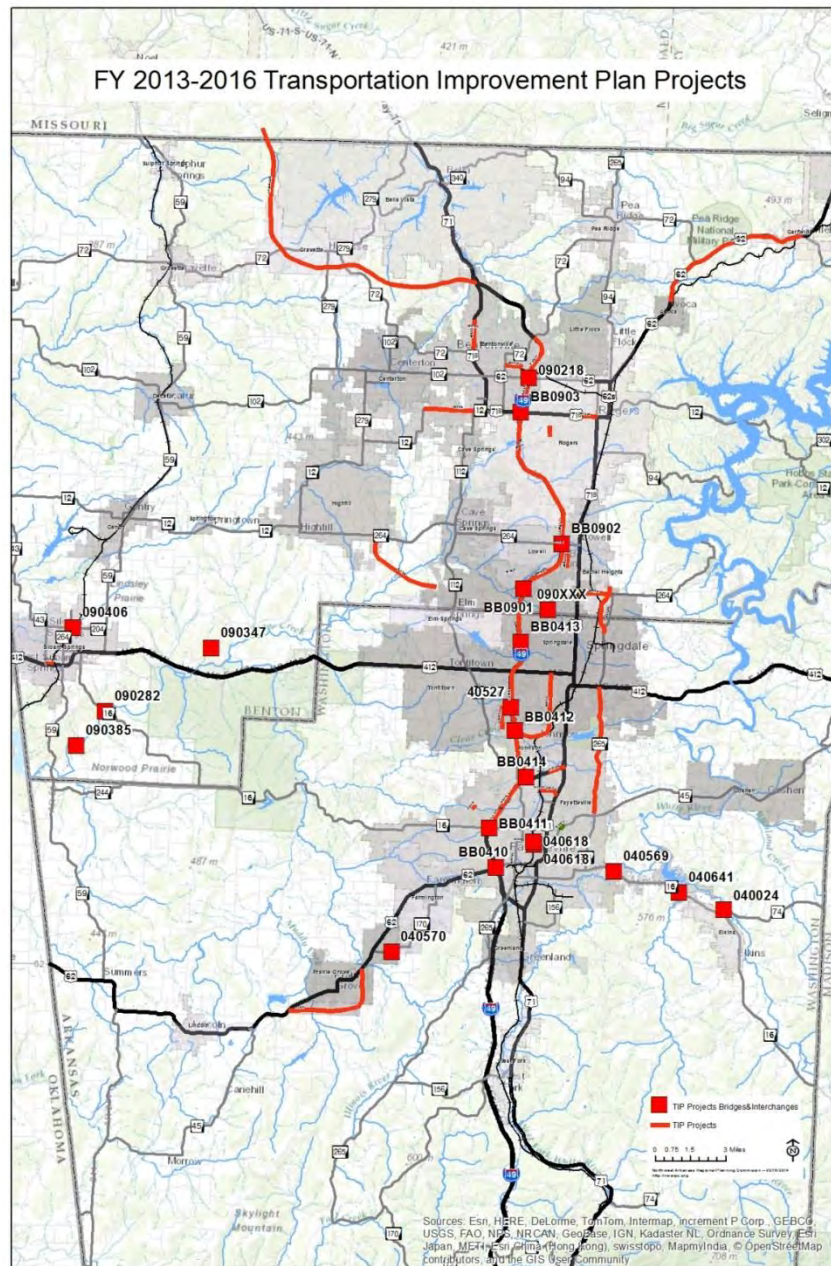
Benton County Hispanic or Latino ethnicity and race estimates



Washington County Hispanic or Latino ethnicity and race estimates



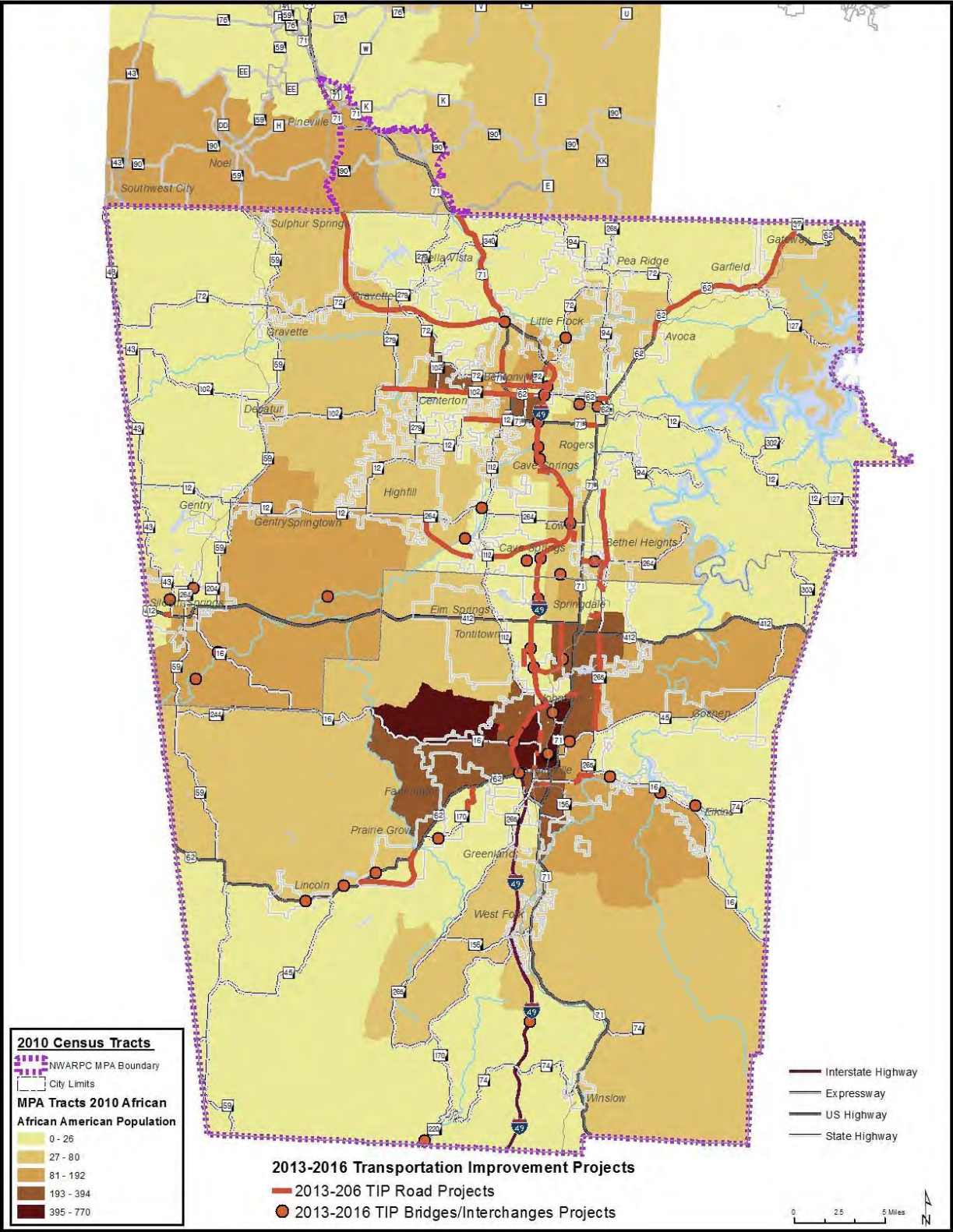
McDonald County Hispanic or Latino ethnicity and race estimates



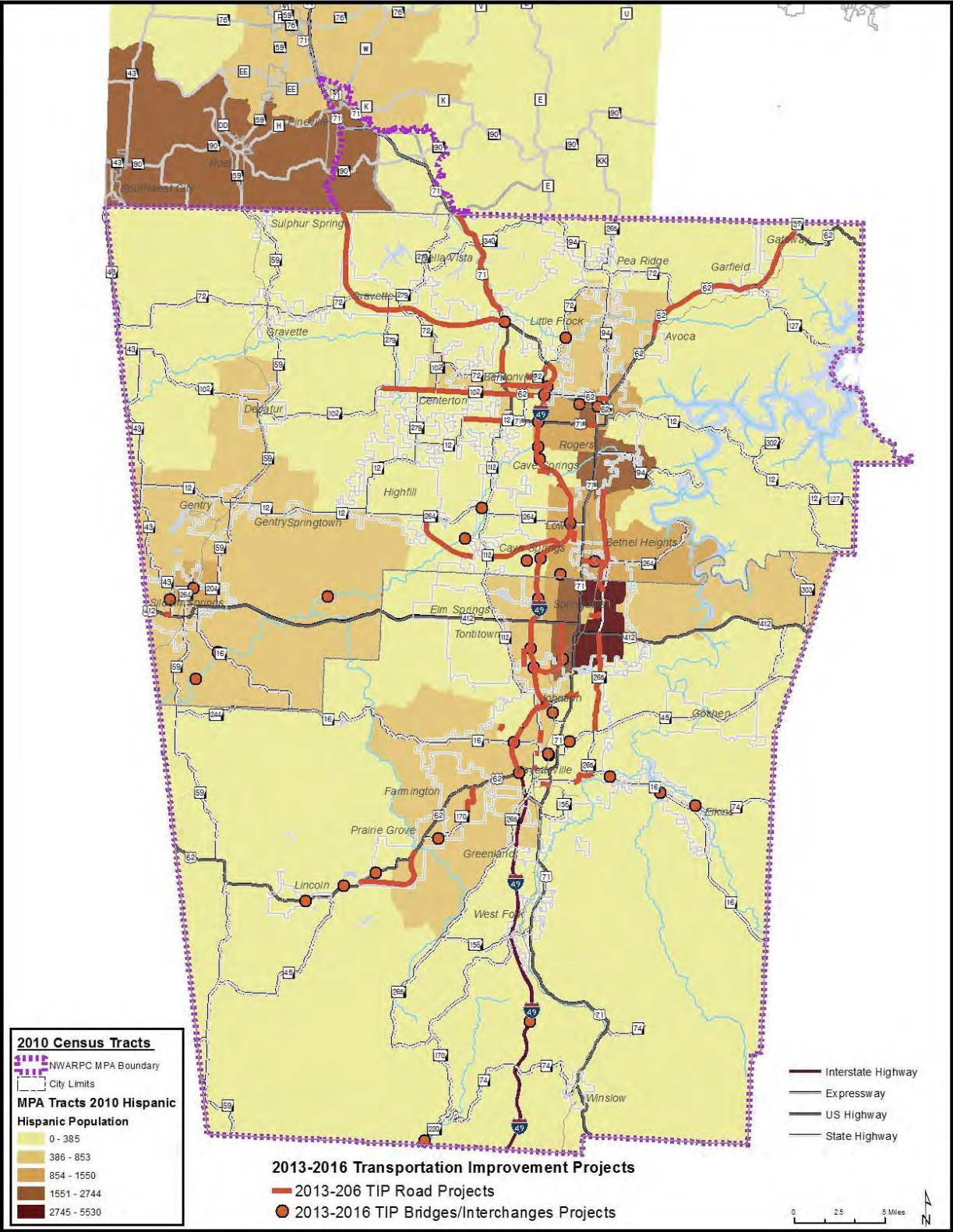
MAP #1: FY 2013-2016 TIP

Federally Funded Projects

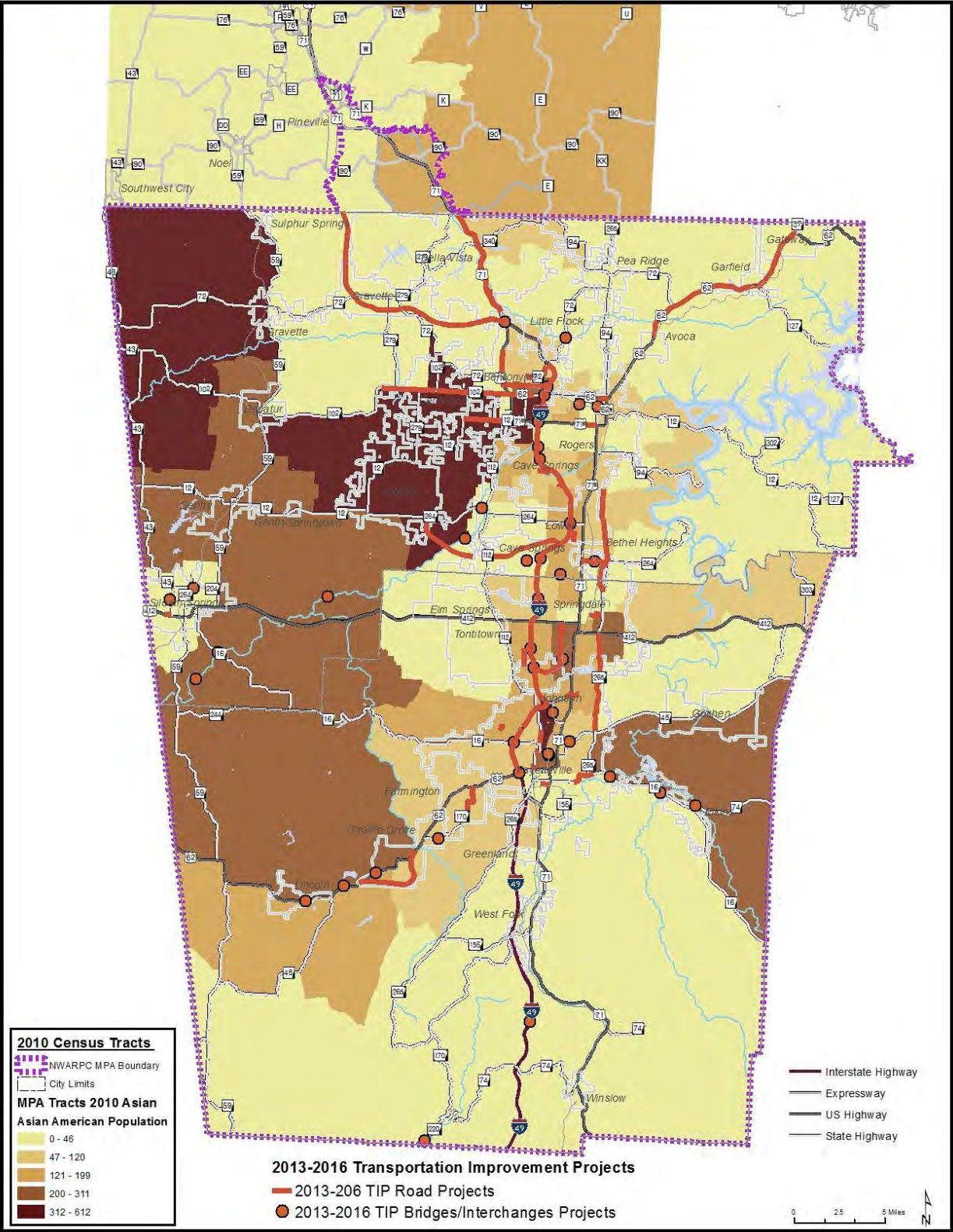
Map #1 represents project locations of FY 2013-2016 Transportation Improvement Program (TIP). Maps #2 through #6 represent race and ethnicity in relation to TIP projects.



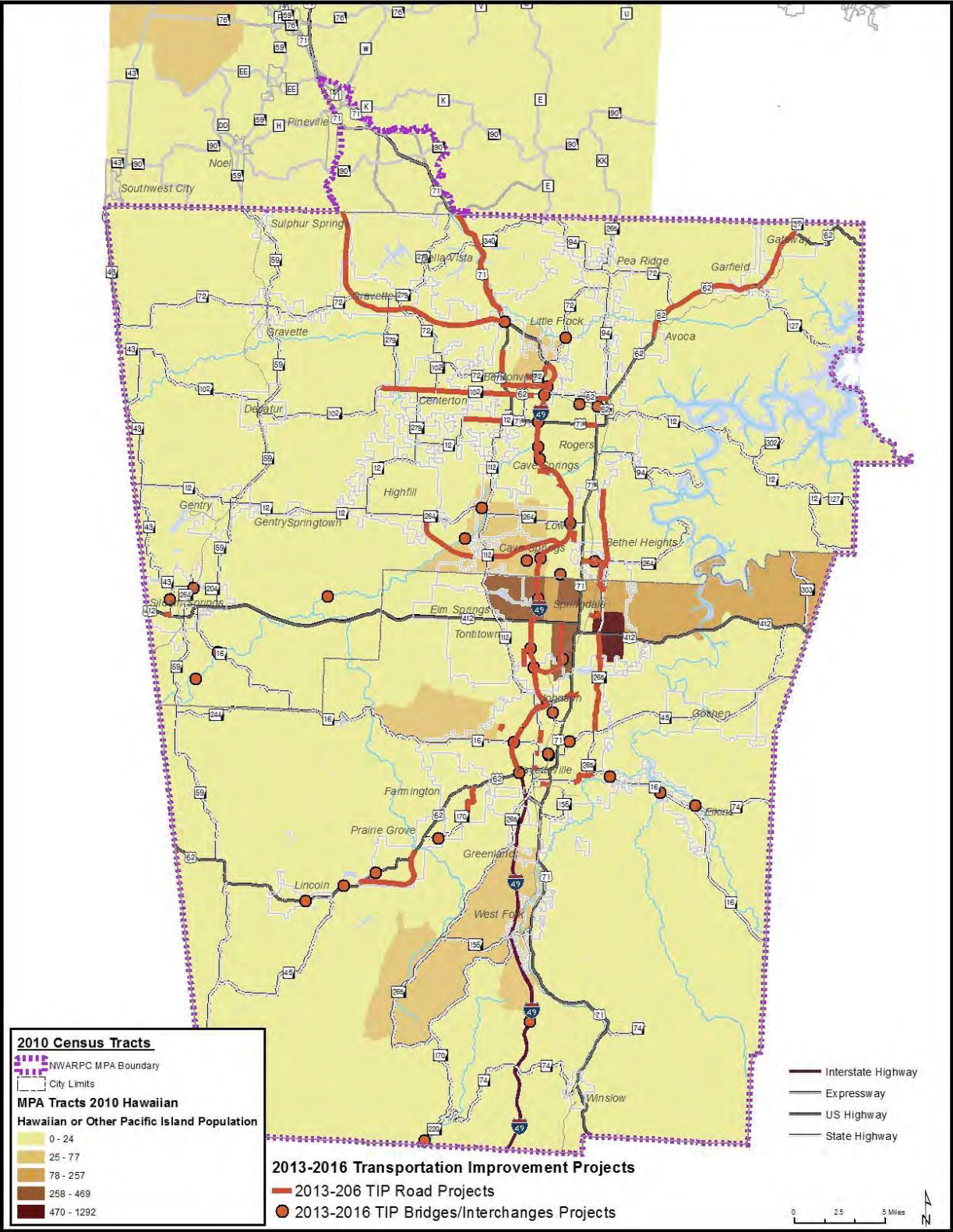
MAP #2: African American Population by 2010 Census Tracts



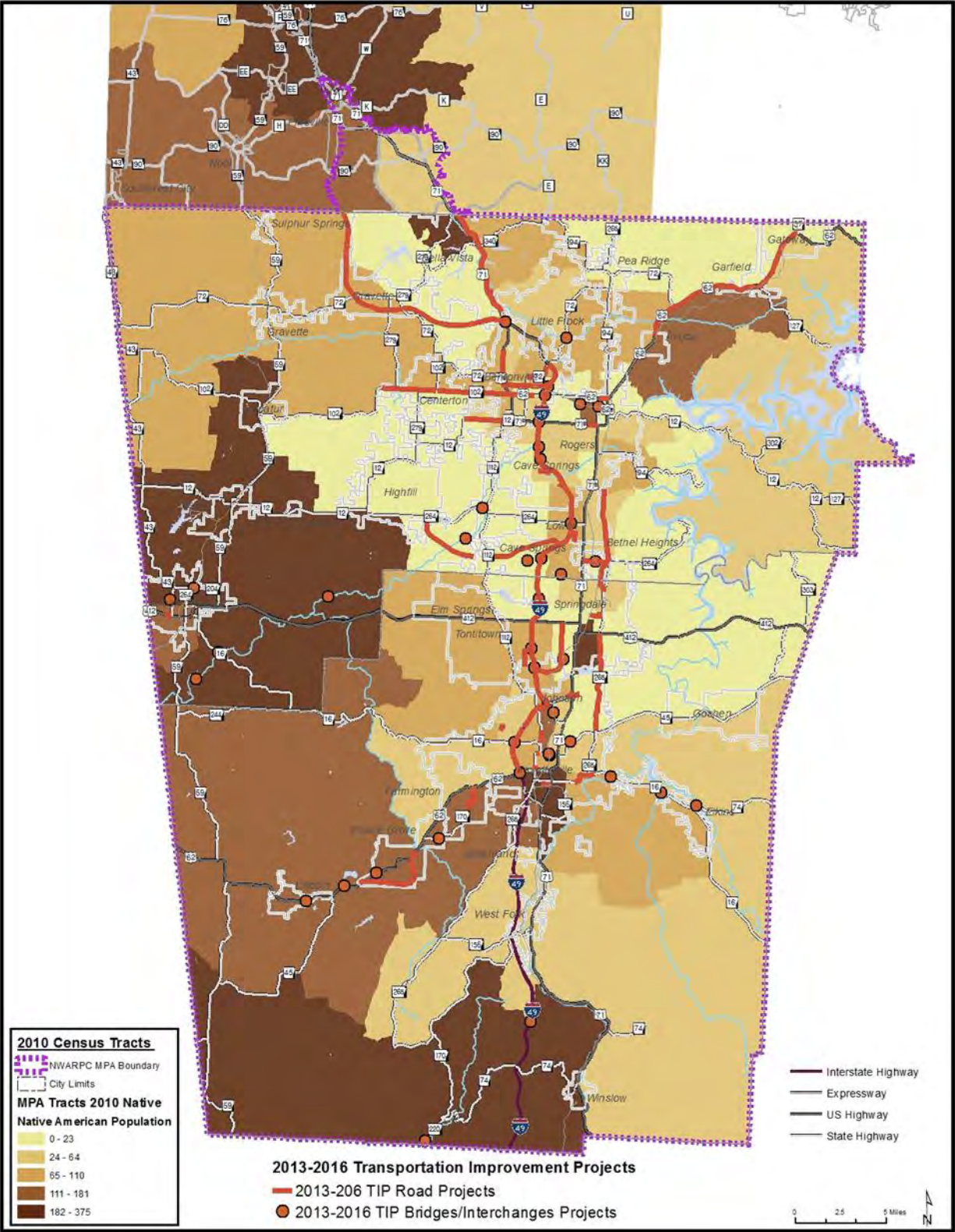
MAP #3: Hispanic Population by 2010 Census Tracts



MAP #4: Asian American Population by 2010 Census Tracts



MAP #5: Hawaiian or Other Pacific Island Population by 2010 Census Tracts



XIII.MOBILITY NEEDS OF MINORITIES

The mobility needs of minority populations are identified through engagement efforts, data collection, and analysis of available census data, public comment, and other available sources. The policy and guidance for public engagement is established in the NWARPC MPO Public Participation Plan. NWARPC MPO's policy for public engagement includes, but is not limited to, activities and outreach efforts such as soliciting the opinions of those under-served by existing transportation systems, including but not limited to minorities and periodically reviewing adopted public comment processes to determine their effectiveness in assuring that the process provides full and open access to all, through surveys, public meetings, open houses, public notices, website posting, emails and public comments. Data analysis through GIS and the Northwest Arkansas Travel Demand Model are key techniques used to identify and engage underrepresented populations.

XIV.PUBLIC TRANSPORTATION SYSTEMS

While the NWARPC MPO is not a provider of fixed route public transportation, within the area there are two public transit systems, Razorback Transit and Ozark Regional Transit, Inc. (ORT), as well as a number of human service agencies that provide transit options for specific populations. Razorback Transit, as a sub-recipient of NWARPC MPO, complies with Title VI of the Civil Rights Act of 1964 and all route schedules are available at the Razorback Transit website, <http://parking.uark.edu/67.php>. Ozark Regional Transit, Inc. (ORT), as a sub-recipient of NWARPC MPO, complies with Title VI of the Civil Rights Act of 1964 and all route schedules and route maps can be viewed at the ORT website, <http://www.ozark.org/index.php/schedules-maps>.

In January 2013 the AHTD published the ***Arkansas Statewide Transit Coordination Plan: 2012 (TCP)***. The TCP replaces the sixteen separate local transit coordination plans that were developed in 2007 and 2008 as a result of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). In Northwest Arkansas, the TCP replaces the NWA Public Transit-Human Services Coordinated Transportation Plan (Coordination Plan).

The federal transportation legislation, Moving Ahead for Progress in the Twenty-First Century (MAP-21), requires that projects for certain FTA programs be derived from a locally developed, coordinated public transit-human services transportation plan. The TCP applies to Section 5310: Enhanced Mobility of Seniors and Individuals with Disabilities Program, which is a consolidation of the old Section 5310 and Section 5317 programs, and includes the New Freedom program. These requirements are aimed at improving transit services for persons with disabilities, older adults and individuals with low incomes and ensuring that communities are coordinating transit resources provided through multiple Federal programs.

For guidance on the administration and preparation of grant applications for the Enhanced Mobility of Seniors and Individuals with Disabilities under 49 U.S.C. 5310, FTA has issued

Circular 9070.1G. This revision of an earlier circular incorporated provisions of MAP-21 and includes the most current available guidance as of the June 6, 2014 date of publication.

XV.TITLE VI PROGRAM ADOPTION

NWARPC is the governing body that adopts all policies and planning documents. The signed Resolution #15-3 shall provide verification that this Title VI Program has been adopted.

XVI.REQUIREMENTS FOR PROGRAM ADMINISTRATION

All funds processed through the NWARPC MPO must be spent on projects in accordance with the Metropolitan Transportation Plan (MTP). The MTP includes an environmental justice review of the constrained project list, so staff and member jurisdictions can be aware of potential issues ahead of programming projects in the Transportation Improvement Program.

Transit Programs

Razorback Transit and Ozark Regional Transit, Inc., the two providers of publicly owned public transportation service in the urbanized area, are the recipients for Section 5307 and Section 5339 funding. The project listings of the transit organizations are consistent with, and derived from the TIP and approved by the NWARPC/MPO Policy Committee.

APPENDIX A

Northwest Arkansas Regional Planning Commission Title VI Complaint Form

Section I.

Name: _____

Address: _____

Telephone Numbers: (Home/Cell) _____ (Work) _____

Email Address: _____

Accessible Format Requirements?

Large Print _____ Audio tape _____ TDD _____ Other _____

Section II.

Are you filing this complaint on your own behalf? Yes _____ No _____

[If you answered "yes" to this question, go to **Section III.**]

If not, please supply the name and relationship of the person for whom you are complaining:

Please explain why you have filed for a third party. _____

Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party. Yes _____ No _____

Section III.

Have you previously filed a complaint with NWARPC? Yes _____ No _____

If yes, what was your Complaint Number? _____

[Note: This information is needed for administrative purposes; we will assign the same complaint number to the new complaint.]

Have you filed this complaint with any of the following agencies?

Transit Provider _____ Department of Transportation _____ Federal Transit Administration _____

Department of Justice _____ Equal Employment Opportunity Commission _____

Other _____

Have you filed a lawsuit regarding this complaint? Yes _____ No _____

If yes, please provide a copy of the complaint form.

[Note: This above information is helpful for administrative tracking purposes. However, if litigation is pending regarding the same issues, we defer to the decision of the court.]

Section IV.

Name of Agency complaint is against:

Contact person: _____ Title: _____

Physical Address: _____

Telephone number: _____

On separate sheets if necessary, please describe your complaint. You should include specific details such as names, dates, times, witnesses, location and any other information that would assist us in our investigation of your allegations. Please also provide any other documentation that is relevant to this complaint.

Section V.

May we release a copy of your complaint to the Agency the complaint is against? Yes ____ No ____

May we release your identity to the Agency? Yes ____ No ____

Please sign here: _____

Date: _____

[Note – We cannot accept your complaint without a signature.]

[Administrative – Original Complaint Number _____]

Please mail your completed form to: Title VI Program Coordinator, NWARPC, 1311 Clayton Street, Springdale, AR 72762

NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION NOTICE OF NONDISCRIMINATION

The Northwest Arkansas Regional Planning Commission (NWARPC) complies with all civil rights provisions of federal statutes and related authorities that prohibit discrimination in programs and activities receiving federal financial assistance. Therefore, the NWARPC does not discriminate on the basis of race, sex, color, age, national origin, religion or disability, in the admission, access to and treatment in NWARPC's programs and activities, as well as the NWARPC's hiring or employment practices. Complaints of alleged discrimination and inquiries regarding the NWARPC's nondiscrimination policies may be directed to Celia Scott-Silkwood, AICP, Regional Planner – EEO/DBE (ADA/504/Title VI Coordinator), 1311 Clayton, Springdale, AR 72762, (479) 751-7125, (Voice/TTY 7-1-1 or 1-800-285-1131) or the following email address: cscott-silkwood@nwarpc.org. This notice is available from the ADA/504/Title VI Coordinator in large print, on audiotape and in Braille.



NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION

1311 Clayton St., Springdale, Arkansas, 72762

• (479) 751 7125

• Fax: (479) 751 7150

• <http://nwarpc.org>

APPENDIX B

NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION

TEAM ID #1571

LIMITED ENGLISH PROFICIENCY PLAN

APPROVED BY THE RPC/POLICY COMMITTEE

MAY 6, 2015

This document was funded in part through grant(s) from the Federal Highway Administration, the Federal Transit Administration, and/or the United States Department of Transportation.

NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION NOTICE OF NONDISCRIMINATION

The Northwest Arkansas Regional Planning Commission (NWARPC) complies with all civil rights provisions of federal statutes and related authorities that prohibit discrimination in programs and activities receiving federal financial assistance. Therefore, the NWARPC does not discriminate on the basis of race, sex, color, age, national origin, religion or disability, in the admission, access to and treatment in NWARPC's programs and activities, as well as the NWARPC's hiring or employment practices. Complaints of alleged discrimination and inquiries regarding the NWARPC's nondiscrimination policies may be directed to Celia Scott-Silkwood, AICP, Regional Planner – EEO/DBE (ADA/504/Title VI Coordinator), 1311 Clayton, Springdale, AR 72762, (479) 751-7125, (Voice/TTY 7-1-1 or 1-800-285-1131) or the following email address: cscott-silkwood@nwarpc.org. This notice is available from the ADA/504/Title VI Coordinator in large print, on audiotape and in Braille. If information is need in another language, contact Celia Scott-Silkwood. Si necesita informacion en otro idioma, comuniquese Celia Scott-Silkwood, cscott-silkwood@nwarpc.org.

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INTRODUCTION

Excerpted from “Implementing the Department of Transportation’s Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (LEP) Persons: A Handbook for Public Transportation Providers” as prepared by the Federal Transit Administration Office of Civil Rights, dated April 13, 2007.

“Individuals, who have a limited ability to read, write, speak, or understand English are limited English proficient, or ‘LEP.’ According to the 2000 U.S. Census, more than 10 million people reported that they do not speak English at all, or do not speak English well. The number of persons reporting that they do not speak English at all or do not speak English well grew by 65 percent from 1990 to 2000. Among limited English speakers, Spanish is the language most frequently spoken, followed by Chinese (Cantonese or Mandarin), Vietnamese, and Korean.”

“Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., and its implementing regulations provide that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity that receives Federal financial assistance. The Supreme Court, in *Lau v. Nichols*, 414 U.S. 563 (1974), interpreted Title VI regulations promulgated by the former Department of Health, Education, and Welfare to hold that Title VI prohibits conduct that has a disproportionate effect on LEP persons because such conduct constitutes national origin discrimination.”

“Executive Order 13166, ‘Improving Access to Services for Persons with Limited English Proficiency,’ reprinted at 65 FR 50121 (August 16, 2000), directs each Federal agency to examine the services it provides and develop and implement a system by which LEP persons can meaningfully access those services. Federal agencies were instructed to publish guidance for their respective recipients in order to assist them with their obligations to LEP persons under Title VI. The Executive Order states that recipients must take reasonable steps to ensure meaningful access to their programs and activities by LEP persons.”

“The U.S. DOT published revised guidance for its recipients on December 14, 2005. This document states that Title VI and its implementing regulations require that DOT recipients take responsible steps to ensure meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are Limited English Proficient (LEP) and that recipients should use the DOT LEP Guidance to determine how best to comply with statutory and regulatory obligations to provide meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are LEP.”

“The FTA references the DOT LEP guidance in its Circular 4702.1B, “Title VI and Title VI-Dependent Guidelines for FTA Recipients,” which was published on October 1, 2012. Chapter IV part 4 of this Circular reiterates the requirement to take responsible steps to ensure meaningful access to benefits, services, and information for LEP persons and suggests that FTA recipients and subrecipients develop a language implementation plan consistent with the provisions of Section VII of the DOT LEP guidance.”

The Northwest Arkansas Regional Transportation Commission (NWARPC) MPO is the federally designated planning organization that serves local units of governments in Benton, Madison, and Washington Counties, Arkansas and Pineville and a portion of McDonald County in Missouri. As well as being the regional planning organization, NWARPC serves as the region's Metropolitan Planning Organization (MPO). Furthermore, the NWARPC is the Designated Recipient for FTA grant programs for the Fayetteville-Springdale-Rogers Urbanized Area.

The MPO serves as a forum for cooperative transportation decision-making by state and local governments, and regional transportation and planning agencies. MPO's are charged with maintaining and conducting a "continuing, cooperative, and comprehensive" regional transportation planning and project programming process for the MPO's study area.

The Northwest Arkansas Regional Transportation Study area (NARTS) is the cooperative effort by participating governmental units, Arkansas Highway and Transportation (AHTD), transportation and transit providers, and other interested parties to develop the long-range transportation plan for the metropolitan area.

Additionally, the region was designated as a Transportation Management Area (TMA) in 2013. The TMA includes Benton and Washington Counties and a portion of McDonald County, Missouri.

The NWARPC includes local elected and appointed officials from Benton and Washington Counties, Arkansas and McDonald County, Missouri and the cities of:

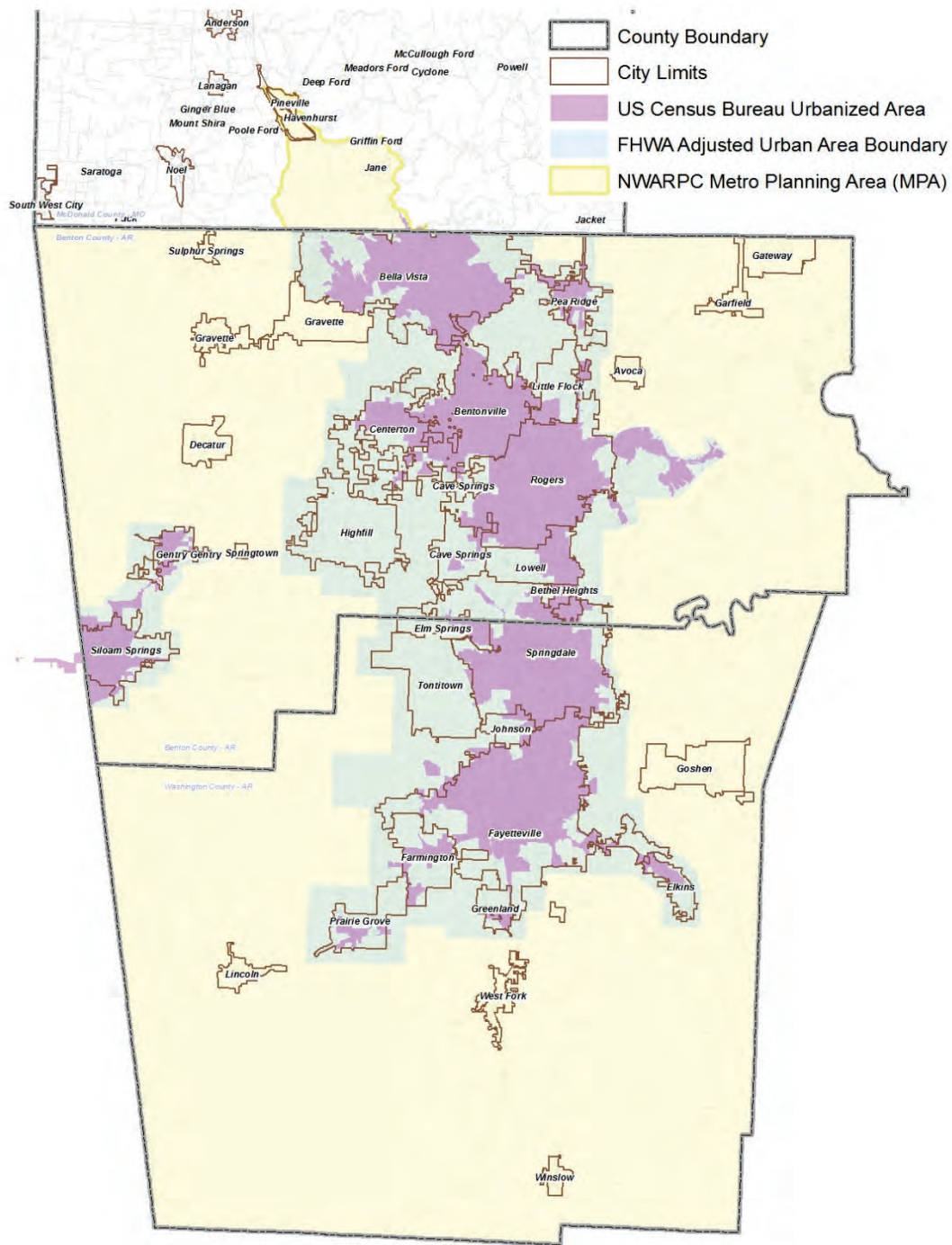
Commission Member Jurisdictions in Arkansas

AHTD	AVOCA	BEAVER WATER DISTRICT
BELLA VISTA	BENTON COUNTY	BENTONVILLE
BETHEL HEIGHTS	CAVE SPRINGS	CENTERTON
DECATUR	ELKINS	ELM SPRINGS
FARMINGTON	FAYETTEVILLE	GARFIELD
GATEWAY	GENTRY	GOSHEN
GRAVETTE	GREENLAND	HIGHFILL
HINDSVILLE	HUNTSVILLE	JOHNSON
LINCOLN	LITTLE FLOCK	LOWELL
MADISON COUNTY	PEA RIDGE	PRAIRIE GROVE
ROGERS	SILLOAM SPRINGS	SPRINGDALE
SPRINGTOWN	ST. PAUL	SULPHUR SPRINGS
TONTITOWN	WASHINGTON COUNTY	WEST FORK
WINSLOW		

Commission Member Jurisdictions in Missouri

PINEVILLE	PORTION OF McDONALD CO.	MoDOT
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In cooperation with: the U.S. DEPARTMENT OF TRANSPORTATION, the FEDERAL HIGHWAY ADMINISTRATION, and the FEDERAL TRANSIT ADMINISTRATION.



Northwest Arkansas Regional Planning Commission – Metropolitan Planning Area, FHWA Adjusted Urban Area Boundary and US Census Bureau Urbanized Area Boundaries Map

FOUR FACTOR ANALYSIS

NWARPC MPO has conducted the following analysis to address the requirements under Title VI of the Civil Rights Act of 1964. The purpose is to ensure that no person on the grounds of race, color, or national origin, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance from the Federal Transit Administration (FTA).

NWARPC has implemented the following steps to determine if specific languages are coming into contact with NWARPC services and, if so, identify necessary steps needed to ensure meaningful access by LEP persons to its programs and services.

FACTOR 1: THE NUMBER OR PROPORTION OF LEP PERSONS ELIGIBLE TO BE SERVED OR LIKELY TO ENCOUNTER AN MPO PROGRAM, ACTIVITY, OR SERVICE.

The NWARPC MPO has had very limited contact with LEP persons. In recent history, there has been no contact at meetings, through Commission or committee members, through phone contact, or by personal visit. Website access is unknown. Based upon the historical evidence of no language assistance requests, it is determined that NWARPC's programs and services directly serve very few LEP populations.

"SAFE HARBOR" – The FTA has established a "safe harbor" regarding the responsibility to provide translation of vital documents for LEP populations. This safe harbor is based upon the number and percentages of the service area-eligible population that are LEP. According to the safe harbor rule, FTA expects translation of vital documents to be provided when the eligible LEP population in the service area exceeds 1,000 people or if it exceeds 5 percent of the eligible population. Vital documents include complaint procedures and forms, notice of a person's rights under Title VI, public notification of meetings and events. The Spanish speaking population is the largest LEP population in Benton and Washington Counties, Arkansas and McDonald County, Missouri, at 13% from the total population.

Oral language and translation of vital information/documents will be provided at no cost to any one that requests translation. (See B. LANGUAGE ASSISTANCE MEASURES/STAFF TRAINING below.)

Note: The U.S. Census Bureau information from the 2013 American Community Survey (ACS) was used in the analysis of NWARPC area LEP persons.

Table 1 below identifies the language spoken at home by ability to speak English for the population 5 years and over by ACS estimates for the 2009-2013 5-year periods. The data summarizes totals from Washington and Benton County, Arkansas and Pineville city, McDonald County, Missouri. The population of Pineville, Missouri represents approximately 45% of the total population of the MPA area in McDonald County. Data for the remaining area is not available at this geography level and detail; therefore, the household language by household limited English speaking status table (Table 2) was utilized to infer more information for the language spoken at home for the entire MPA area population.

Geography	Benton County, Arkansas	Washington County, Arkansas	Pineville City, Missouri	Total	Percent
Estimate; Total:	209,849	192,358	808	403,015	100%
Estimate; Total: - Speak only English	177,405	157,692	768	335,865	83%
Estimate; Total: - Spanish or Spanish Creole:	25,588	25,562	4	51,154	13%
Estimate; Total: - Spanish or Spanish Creole: - Speak English less than "very well"	12,739	14,474	2	27,215	7%
Estimate; Total: - Spanish or Spanish Creole: - Speak English "very well"	12,849	11,088	0	23,937	6%
Estimate; Total: - Other Pacific Island languages:	431	3,498	0	3,929	1%
Estimate; Total: - Other Pacific Island languages: - Speak English less than "very well"	213	2,383	0	2,596	1%
Estimate; Total: - Other Pacific Island languages: - Speak English "very well"	218	1,115	0	1,333	0%
Estimate; Total: - Chinese:	473	716	0	1,189	0%
Estimate; Total: - Other Asian languages:	988	72	0	1,060	0%
Estimate; Total: - Laotian:	339	720	0	1,059	0%
Estimate; Total: - Portuguese or Portuguese Creole:	80	345	21	446	0%
Estimate; Total: - Portuguese or Portuguese Creole: - Speak English "very well"	80	264	21	365	0%

Table 1: Language spoken at home for population 5 years and over

Table 2 below describes the household language by household limited English speaking status from the ACS 2009-2013 5- year estimates. A "limited English speaking household" is one in which no member 14 years old and over (1) speaks only English or (2) speaks a non-English language and speaks English "very well." In other words, all members 14 years old and over have at least some difficulty with English. By definition, English-only households cannot belong to this group. Previous Census Bureau data products have referred to these households as "linguistically isolated" and "Households in which no one 14 and over speaks English only or speaks a language other than English at home and speaks English 'very well'." This table was used because it is the one with the same geography and level of detail for the MPA portion of McDonald County, Missouri (Block Groups) and can be utilized to incorporate into the MPA study area and be summarized at the same level as the Washington and Benton Counties data.

Geography	Benton County, Arkansas	Washington County, Arkansas	McDonald County, Missouri (MPA portion)	Total	Percent
Total	82,150	79,214	2,509	166,382	100%
English only	70,494	66,647	2294	141,729	85%
Spanish	8,097	8,986	135	17,353	10%
Spanish: - Limited English speaking household	1,954	3,100	50	5,154	3%
Spanish: - Not a limited English speaking household	6,143	5,886	85	12,199	7%
Other Indo-European languages:	1,790	1,238	64	3,156	2%
Other Indo-European languages: - Limited English speaking household	123	228	14	379	0%
Other Indo-European languages: - Not a limited English speaking household	1,667	1,010	50	2,777	2%
Asian and Pacific Island languages:	1,561	1,984	16	3,577	2%
Estimate; Total: - Asian and Pacific Island languages: - Limited English speaking household	321	784	0	1,105	1%
Asian and Pacific Island languages: - Not a limited English speaking household	1,240	1,200	16	2,472	1%
Other languages:	208	359	0	567	0%
Other languages: - Limited English speaking household	12	154	0	166	0%
Other languages: - Not a limited English speaking household	196	205	0	401	0%

Table 2: Household language by household limited English speaking status (population 14 and older)

FACTOR 2: THE FREQUENCY WITH WHICH LEP INDIVIDUALS COME INTO CONTACT WITH AN MPO PROGRAM, ACTIVITY, OR SERVICE.

NWARPC MPO does not have any knowledge, documented or otherwise, of LEP persons coming into contact with a NWAPRC program, activity, or service, outside of the 2010 Long Range Plan Survey, which was printed in Spanish and completed by 114 persons. The survey was made available on the NWARPC webpage and as hard copies distributed throughout the region via public libraries, city halls, health care clinics, civic centers and at all public input meetings. Beginning in fall 2014 the 2040 Metropolitan Transportation Plan public opinion survey was published on the web site in both English and Spanish and also distributed at all NWARPC project public input meetings, ribbon cutting events, public libraries, transit agencies, city halls and civic centers.

FACTOR 3: THE NATURE AND IMPORTANCE OF THE PROGRAM, ACTIVITY, OR SERVICE PROVIDED BY THE MPO TO LEP COMMUNITY.

NWARPC MPO has three main planning documents which identify and direct NWARPC MPO's transportation activities in the region:

- The Metropolitan Transportation Plan (MTP), which provides direction for transportation investments twenty years in the future.
 - While NWARPC MPO has not directly solicited LEP community input on the nature and importance of the program, activity or service provided by the MPO to the LEP community, completed Spanish language public opinion surveys aid in identifying which types of transportation alternatives recommended in the MTP have value to the LEP community.
- The Transportation Improvement Program (TIP) is a schedule of short-range transportation investments and activities intended to be implemented through a combination of state, federal, and local funding.
- The Unified Planning Work Program (UPWP) outlines planning tasks and the budget for each fiscal year.

FACTOR 4: THE RESOURCES AVAILABLE TO THE MPO AND OVERALL COSTS

NWARPC MPO has assessed its available resources that could be used for providing LEP assistance. This includes identifying what staff and volunteer language interpreters are readily available, which documents should be translated, taking an inventory of available organizations that NWAPRC could partner with for outreach and translation efforts, examining which financial and in-kind sources could be used to provide assistance, and what level of staff training is needed.

PLAN FOR ASSISTING PERSONS OF LIMITED ENGLISH PROFICIENCY

NWARPC MPO developed the plan outlined in the following section for assisting persons of limited English proficiency. **NWARPC MPO will assist any persons with language translation free of charge,** given a reasonable amount of time.

A. HOW TO IDENTIFY A LEP PERSON WHO NEEDS LANGUAGE ASSISTANCE

Tools to help identify persons who may need language assistance:

- Staff will have on hand the “I speak” card printed from the following website:
<http://www.lep.gov/ISpeakCards2004.pdf>;
- Examine records requests for language assistance from past meetings and events to anticipate the possible need for assistance at upcoming meetings;
- When NWARPC MPO sponsored workshops or conferences are held, set up a sign-in sheet table, have a staff member greet and briefly speak to each attendee. To informally gauge the attendee’s ability to speak and understand English, staff will ask a question that requires a full sentence reply;
- Though language needs may not be met at the current meeting or event, an inventory of those needs will help staff plan for language needs at a future meeting;
- Post a notice of available language assistance in the NWARPC MPO reception area.

B. LANGUAGE ASSISTANCE MEASURES/STAFF TRAINING

NWARPC MPO:

- Currently, no substantive documents are available in a language other than English; the NWARPC website may be translated into a number of different languages using Google Translate.
- Has translated the following into Spanish –
 - Title VI Notice to the Public.
 - Title VI Complaint Procedures and Form.
 - Notice in every document that interpretation is available.
- No staff member speaks Spanish; other resources for interpreters include –
 - A local translation service that can provide an on-demand translation service as needed for a fee.
 - ORT has several Spanish interpreters and Pacific Islanders that are available for NWARPC MPO use.
 - There are a number of Universities and Colleges in the area that have foreign language departments. These can be used as a resource if need be.
 - Arkansas Relay, a telephone connection serve, offers a Spanish Relay service. Relay users can type in Spanish and the conversations will be relayed in Spanish.
 - Para llamadas en español, marque el 866-656-1842.
 - Para llamadas en ingles, marque el 711 o directamente al 800-285-1131.
- Training – All NWARPC staff will be provided with the LEP plan and will be educated on procedures and services available. Annual training will take place in July of every new fiscal year. This information will also be part of the new hire orientation process. Training topics may include –
 - Understanding the Title VI LEP responsibilities;
 - What language assistance NWARPC MPO offers;

- How to access an interpreter;
- Documentation of language assistance requests;
- How to handle a complaint;
- The importance of educating sub-recipients on NWARPC MPO's LEP program responsibilities and their obligation to provide language assistance.
- Outside these measures, NWARPC MPO has limited resources and will, to the extent possible, ensure LEP individuals have the opportunity to participate in transportation planning. **All translation is free.**

C. PROVIDING NOTICE OF AVAILABLE LANGUAGE SERVICE TO LEP PERSONS

NWARPC MPO will post signs that language assistance is available in public areas such as the reception area or public notice bulletin board, as well as the web site.

D. OUTREACH TECHNIQUES

- If staff knows that they will be presenting a topic that could be of potential importance to an LEP person or if staff will be hosting a meeting or a workshop in a geographic location with a known concentration of LEP person, staff will have meeting notices, fliers, advertisements, and agendas contain a notice, in Spanish, of language service availability with notification in advance of the meeting.
- When running a general public meeting notice, the phrase "Si necesita informacion en otro idioma, comuniquese Celia Scott-Silkwood, cscott-silkwood@nwarpc.org or 479-751-7125, cuando menos 48 horas antes de la junta", which asks persons if information is needed in another language to make arrangements with NWARPC MPO within two days of the meeting date.

E. MONITORING AND UPDATING THE LEP PLAN

This plan is designed to be flexible and is one that can be easily updated. At a minimum, NWARPC MPO will follow the Title VI program update schedule for the LEP plan.

Updates should examine plan components such as:

- How many LEP persons were encountered?
- Were their needs met?
- What is the current LEP population in the region?
- Has there been a change in the types of languages where translation services are needed?
- Is there still a need for continued language assistance for previously identified NWARPC MPO programs?
- Are there other programs that should be included?
- Has NWARPC MPO's available resources, such as technology, staff, and financial cost, changed?
- Has NWARPC MPO fulfilled the goals of the LEP plan?
- Were there any complaints received?
- Were any comments or requests from the public participation process made that would impact the LEP plan?

F. DISSEMINATION OF THE NWARPC MPO LIMITED ENGLISH PROFICIENCY PLAN

NWARPC MPO will post the LEP plan on its website <http://nwarpc.org>

Anyone with internet access will be able to access the plan. For those without personal internet access, all area libraries offer free internet access. Copies of the LEP plan will be provided to the Arkansas State Highway and Transportation Department, the Missouri Department of Transportation, the Federal Highway Administration, the Federal Transit Administration, and any person or agency requesting a copy. NWARPC members will be provided a copy of the LEP plan. A hard copy of the plan will be available in the office. An LEP person may obtain copies of the plan upon request.

Any questions or comments regarding this plan should be directed to:

NWARPC Title VI Coordinator

Phone: 479-751-7125

Fax: 479-751-7150

Northwest Arkansas Regional Planning Commission,
1311 Clayton Street, Springdale, AR 72762

Email: cscott-silkwood@nwarpc.org

<http://nwarpc.org>